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## BOLÍVAR AS VIEWED BY CONTEMPORARY DIPLOMATS OF THE UNITED STATES

Few men have been able to win the unqualified approbation of their contemporaries. George Washington, while living, did not enjoy by any means the universal esteem of his compatriots. Simón Bolívar likewise had his critics and enemies among the South Americans of his day. Although often erroneous, contemporary estimates of a military or political leader are usually none the less interesting.

Doubtless both Washington and Bolívar had their faults. The reputable historians of South America do not assert that the great genius of the independence movement in the Spanish colonies was without blemish. His cruel proclamation of war to the death, his butchery of Spanish prisoners, and certain irregularities in personal morals, are facts which they may seek to explain and even to justify, but which they do not deny. The contemporary judgments of the diplomatic and consular representatives of the United States south of the Río Grande, judgments naturally influenced somewhat by personal contacts and associations in the region, are on the whole not flattering to the Liberator, but they condemn him for other reasons.

In the earlier days of his brilliant career he was given only slight attention by the few Yankee agents in the theater of his activities, but whenever they mentioned him it was usually to praise him. It is true that Baptis Irvine, who had been sent to Venezuela in 1818 to effect a settlement of claims, had lost his temper and written Bolívar some "very offensive letters". It is likewise true that S. D. Forsyth, "a sort of agent for . . .

Venezuela", had once employed somewhat severe language in speaking of the Liberator. But in March, 1820, when Forsyth approached John Quincy Adams to solicit another appointment in northern South America, he claimed he "held a high opinion" of Bolívar and that he believed the general had "learnt virtue in adversity" and "greatly improved" with experience.<sup>1</sup>

Moreover, Irvine's former adverse views are more than counteracted by those of other North American observers during this early period. Purser Charles O. Handy thought that Bolívar's continuance at the head of the insurgent army of Venezuela (1819) would be indispensable to the ultimate success of the revolutionary cause.<sup>2</sup> The consul of the United States in Valparaiso early in 1825 spoke of him as the "great Chief".<sup>3</sup> John B. Prevost referred to him in 1823 in the following glowing terms:

I had the happiness to meet this extraordinary man on several occasions during . . . my Stay in Lima . . . and have seen enough of him to predict that . . . his march will be one of Triumph—His genius, his perseverance, and his exploits I shall not attempt to depict, but I cannot pass in silence a purity of feeling that places him above the Heroes of modern Days—His whole Soul is wrapt up in the emancipation of his country and America is that country. . . .<sup>4</sup>

Apparently there was little but praise for Bolívar the "Passionate Warrior". It was not until the Spaniards had been driven from South America and the agents of the United States began to observe and listen to reports of the *political* movements of the victorious general that they first uttered adverse criticisms. Soon afterward, however, sentiments of

<sup>1</sup> *Memoirs of John Quincy Adams* (12 vols., C. F. Adams ed., Philadelphia, 1874-1877), V. (March 30, 1820), 48-49.

<sup>2</sup> William R. Manning, *Diplomatic Correspondence of the United States Concerning the Independence of the Latin-American Nations* (3 vols., New York, 1925), II. 1180-1181.

<sup>3</sup> *Ibid.*, II. 1100.

<sup>4</sup> *Ibid.*, II. 1088. The peculiar diction, spelling, and punctuation of the original letters of these agents will be retained throughout.



disapproval came in to Washington in ever-increasing number until by 1829 the condemnation was almost unanimous.

In 1827, Consul William Wheelwright wrote from Guayaquil:

I have data for stating that General Bolivar who has been the pride and boast of every patriot has been and is the cause of all our evils: ambition and intrigue have marked his career since he last landed on the shores of Colombia.<sup>5</sup>

From Chile, in 1829, Samuel Larned expressed the view that the machinations of the Liberator were behind recent successful revolutions in Peru and Bolivia. "Thus," remarked Larned,

will this fortunate and ambitious man, through force, intrigue, corruption, and the *prestige* of his name, soon see his sway over these countries, either directly or indirectly, restored; and he [himself] enabled from these *points d'appui*, to direct his machinations against the Provinces of La Plata, on the one hand, and Chile, on the other; neither of which, I fear, from their distracted and divided condition, will be able to oppose them with success.<sup>6</sup>

William Henry Harrison, United States minister and later president of his country, was displeased and alarmed in 1829 by the alleged monarchical aspirations of Bolívar as well as because of his alleged imperialistic ambitions. On May 27, of this year, Harrison wrote:

The political state of this country appears to be approaching a crisis. . . . The Republic of Colombia is no longer to exist, and a Monarchy is to be established in its stead. The crown is, in the first instance, to be offered to General Bolivar. Should he refuse it, a Foreign Prince is to be invited to accept it. These are the measures prescribed for the Convention . . . which is about to be elected. . . . The result of the election . . . will [because of persecution and clever manipulation] give to the world the appearance of the unanimous consent of the people to the change of Government, when four-fifths at least are opposed to it.

<sup>5</sup> *Ibid.*, II. 1320.

<sup>6</sup> *Ibid.*, II. 1138.

"To the enquiry", Harrison continued,

. . . whether Bolivar is himself the author of these measures, and whether, under the mask of patriotism and attachment to liberty, he has really been preparing the means of investing himself with arbitrary power, I unequivocally answer, that I have not the least doubt of the fact. I doubt as little, that he was once sincere in his professions of attachment to a free Government. . . .<sup>7</sup>

Harrison even went so far as to write Bolívar a long letter (September 27, 1829) warning the Liberator against his supposed despotic course and urging him to mend his ways. In the final paragraph of this epistle Harrison asked:

. . . Are you willing that your name should descend to posterity amongst the mass of those, whose fame has been derived from shedding human blood, without a single advantage to the human race? Or shall it be united to that of Washington, as the founder and father of a great and happy nation. The choice lies before you. The friends of liberty throughout the world, and the people of the United States in particular, are waiting your decision with intense anxiety. . . .<sup>8</sup>

John Quincy Adams, after he was no longer secretary of state or president, wrote that the

conduct of Bolivar has for many years been equivocal. As a military leader, his course has been despotic and sanguinary. His principals of government have been always monarchical, but for himself he has repeatedly played off the farce of renouncing his power and going into retirement. He still holds out this pretense, while at the same time he cannot disguise his hankering after a crown.<sup>9</sup>

Even Henry Clay, hitherto an ardent admirer, penned a mild remonstrance in 1828. "I should be unworthy", said Clay,

of the consideration with which your Excellency honors me and deviate from the frankness which I have ever endeavored to practice, if I did not on this occasion state that ambiguous designs have been

<sup>7</sup> *Ibid.*, II. 1333-1334.

<sup>8</sup> State Department Archives (the United States), Despatches, Colombia, VI.

<sup>9</sup> *Memoirs of John Quincy Adams*, VIII. (February 17, 1830), 190.



attributed by your enemies to your Excellency, which have created in my mind great solicitude.

But Clay assumed an optimistic attitude with reference to Bolívar's republican and humanitarian sentiments. "I can not allow myself to believe", said the great Kentuckian,

that your Excellency will abandon the bright and glorious path which lies plainly before you, for the bloody road passing over the liberties of the human race. . . . I will not doubt, that . . . , preferring the true glory of our immortal Washington to the ignoble fame of the destroyers of liberty, you have formed the patriotic resolution of ultimately placing the freedom of Colombia upon a firm and sure foundation. . . .<sup>10</sup>

And Martin Van Buren, as secretary of state, and doubtless speaking for himself as well as for President Andrew Jackson, remarked:

The President will not disguise the fact that recent events in Colombia . . . have produced in the minds of the friends of liberty in this region occasional and painful apprehensions as to the ultimate views of President Bolivar. The President, notwithstanding, is free to say that he has, at all times, been . . . sustained by an abiding hope that they would, in the sequel, be found such as the friends of freedom throughout the world could approve. . . .

"The President", continued Van Buren,

is unwilling to believe that he who has made such liberal sacrifices and exerted such great powers, physical and moral, to redress the wrongs and secure the liberties of his country, can ever consent to exchange the imperishable renown which posterity will doubtless award to the constant and untiring patron of public liberty for the fleeting and sordid gratification of personal aggrandizement.<sup>10</sup>

But the most severe criticism of Bolívar came from the pen of William Tudor, consul of the United States at Lima. Tudor had been an admirer of the Liberator until the late spring of

<sup>10</sup> Calvin Colton, *Life and Times of Henry Clay* (3 vols., New York, 1846), I. 245.

<sup>11</sup> State Department Archives, Instructions, American States, XIV. 16.

1826 and had more than once expressed the view that the presence of the General was necessary for the tranquillity of Peru and Bolivia. In May of this year, however, a closer view of the hero finally removed the halo. The first disillusionment was occasioned by Bolívar's alleged high-handed dismissal of the Peruvian Congress and by the discovery of what Tudor believed to be a trustworthy account of an ambitious project of the Liberator's to subdue all of South America.

"The deep hypocrisy of General Bolívar", wrote Tudor, has hitherto deceived the world, tho' many of his former friends have for more than a year past discovered his views and abandoned him. With the violent dissolution of the Congress, the mask must fall entirely, and the world will see with indignation, or with malicious delight, that he who was occupying the attention of politicians in all countries, and for whom fate by a fortunate combination of circumstances, had prepared the means for leaving one of the noblest reputations that history could record, may be handed down as one of the most grovelling of military usurpers, loaded with the execration of his contemporaries for the calamities his conduct must bring upon them. . . .

This unfortunate state of things has partly been brought on by the base and excessive adulation that he has admitted, until it has become necessary to him. There is no individual among those about him, who dares tell an unpleasant truth, and at the slightest opposition he gives way to an unrestrained violence. At the present moment when they [the Peruvians] are in such distress for money, the only public work that is going on, is an equestrian statue of himself, the execution of which now is a project . . . to pay him court. . . . A great number of gold medals have been distributed with the arms of Peru on one side, and his bust on the other; and these medals are given to both men and women, with the diploma of being *benemerito de la patria*: and no one of either sex approaches him, who possesses one, without having it dangling from the neck; and those who neglect this are at once proscribed from all further audience. On his arrival at any of the towns, expensive fetes are to be got up for him, which bear excessively hard on an impoverished country; but his generals



who are in command, will take care to vex those who are reluctant. . . . With these demonstrations he deceives himself, or is deceived by the crawling, despicable flattery of those about him, [and assumes] that they are the spontaneous effects of attachment.

The despatch closes with this noble sentiment:

It is not without the most painful feelings, that I have come to the conclusions explained in this letter. I have believed Gen. Bolivar, animated by the most pure and lofty ambition, and that notwithstanding some defects of private character, and personal traits and habits wholly dissimilar, . . . he had taken [Washington as a model]. . . . Nor am I ashamed of my credulity; the fame within his reach was so glorious, that I could never believe any man would descend from that lofty eminence where posterity would have recognized him, to confound himself with the ignoble herd of ambitious, usurping, military chieftains.<sup>12</sup>

Tudor's subsequent letters merely added details to the portrait of the "fallen" Liberator. On July 5, 1826, he remarked:

Gen. Bolivar's model is now Napoleon and his ambition is equally unbounded: his views extend not only to being at the head of Colombia and the two Peru's, but to including Chile and Buenos Ayres in his domain; and I believe that a just calculation regarding his plans cannot be made, if it does not suppose the design of an empire from Panama to Magellan under the title of Libertador.<sup>13</sup>

On August 1, he mentioned the following extravagant incident which occurred at the celebration of Bolívar's forty-third birthday: In response to a toast that was given at his table, he declared himself a greater man than any which history has recorded, that not only the heroes of antiquity were inferior to him in "liberal ideas," but Washington and Napoleon he had left much in the rear.<sup>14</sup>

A few weeks later Tudor related two more anecdotes regarding the Liberator's alleged vanities:

<sup>12</sup> Manning, *op. cit.*, III, 1794-1797.

<sup>13</sup> *Ibid.*, III, 1799.

<sup>14</sup> *Ibid.*, III, 1805.

Some months since at a supper in Arequipa, at which were present upwards of twenty persons, after the champagne had circulated pretty freely, talking of the character of Napoleon, he [Bolívar] said, if he had been in his [Napoleon's] situation, he would have conquered all Europe without difficulty. Some one remarked that he would have found an obstacle in England,—perhaps it might be so, he said, and then jumping on the table and kicking about the bottles and glasses, he exclaimed in this manner I would have marched over France and Spain.

Late in August, 1826, a group of ladies met in the palace at Lima to "intreat" the Liberator not to abandon Peru.

Three young girls delivered him short addresses on this occasion. . . . To these he answered that he regretted he could not remain, that he was sensibly affected by their kindness, but that his duty called him to Colombia. On this answer, two or three ladies whose husbands are in place, exclaimed: "he has said nothing, he has not promised, he must not go," and a general cry was raised, "he must not go": those nearest to him then caught him in their arms, insisted that he should promise to stay, and with the exception of a very few, about seventy ladies being present, the whole went forward to embrace him. He said it was impossible to resist so much beauty and attraction, and that he would stay. . . .<sup>15</sup>

In more abstract terms Tudor described Bolívar in 1827 in the following severe language:

His character is ardent, vehement, arrogant; his passions uncontrollable and restrained by no principle . . . : and with frequent sallies of frankness or rather indiscretion, he is capable of a most profound, solemn hypocrisy. He considers words as conveying no obligation, but wholly subordinate in whatever shape or profession, to promoting his designs.<sup>16</sup>

In the chorus of condemnation raised by diplomats of the United States in service south of the Río Grande during the last five years of Bolívar's life, one finds only two notes of discord; and one of these was sounded under the impulse of emotion caused by the death of the Liberator. In 1827, Beau-

<sup>15</sup> *Ibid.*, III. 1806-1809.

<sup>16</sup> *Ibid.*, III. 1819.



fort T. Watts, chargé of the United States at Bogotá, was still certain of "Bolívar's disinterested virtues" and deeply impressed by "an intrinsick moral force in the man, that awes the disaffected and inspires courage in the patriot".<sup>17</sup> And Thomas P. Moore, United States minister at the Colombian capital, was moved by the news of Bolívar's passing to set down the following reflections:

Many of the natives and a large portion of the foreigners here, regard his death as a national calamity, and consider the loss as one which cannot be repaired; whilst I deplore it, because he was the benefactor of the country and my personal friend. . . . I believe that Genl. Bolivar has not left behind him a man more devoted to the interests of his country. . . . I hope . . . that his successor whoever he may be; if he cannot aspire to secure to himself, the same measure of fame and of public consideration bestowed upon the Liberator, will imitate his disinterestedness and his devotion to his country's welfare. . . .<sup>18</sup>

Such was the hero of the war of liberation in northern South America as viewed by the diplomatic agents of the United States who served their country near the large stage whereon he acted. It is well to note the exact limitations of their dispraise. Most of them condemned the monarchical tendencies, the ambitions, the petty vanities, and the alleged political intrigues of his later years; some of them accused him of hypocrisy, of Macchiavellianism; but none denied his power to sway the multitudes, or his military ability, or the remarkable achievements of his earlier years.

What of the reliability of the witnesses? They were men of strong political prejudices. They believed that the democratic federal republic was the best form of government ever framed and supposed it to be adapted to all peoples and all times. Bolívar, on the other hand, favored a more centralized and aristocratic system and expressed a preference for the English form of government. Thus to doubt the universal applicability of democracy, thus to express a predilection for the English political system, was, according to the

<sup>17</sup> *Ibid.*, II. 1309.

<sup>18</sup> *Ibid.*, III. 1367.

conception of these agents, to flout the North American creed and arouse deep suspicion. Bolívar's views, once became known to the representatives from the capital on the Potomac, tended to color all their observations and place them in sympathy with the Liberator's enemies, men whose passionately biassed statements they received with childish credulity. Obviously it would be unfair to accept the criticisms of the North American diplomats at their face value.

Perhaps Bolívar was sound in his convictions regarding the form of government best adapted to his compatriots of a century ago. Yet only one of the diplomats of the United States revealed an inkling of this fact. This diplomat was Thomas P. Moore of Virginia, whose high appreciation of the Liberator has already been quoted. Speaking of the attitude of his fellow-countrymen, the perspicacious Moore remarked:

Our citizens, accustomed to a government, whose operations are all conducted upon constitutional principles, and where the exercise of discretionary and arbitrary power, is unknown and inadmissible, do not seem inclined to make any allowance for measures, which though bearing the impress of harshness and injustice, and not to be tolerated under a settled government, may yet be excused, if not justified, in a country, where everything is disorder and confusion, and where vigilance and severity only, can avert the evils of anarchy. . . . I have no confidence in the intellectual fitness of this people [at the present time] for free institutions. . . .<sup>19</sup>

As for the contemporary statesmen residing in Washington, they knew little about Spanish America save what they learned by reading the despatches of their agents in the region. Nevertheless, Martin Van Buren, wiser than many others, wrote near the end of 1829:

<sup>19</sup> Moore to Van Buren, March 27 and August 28, 1830, State Department Archives, Despatches, Colombia, VI.

The Mexican statesman, Manuel Mier y Terán, remarked in 1828 that citizens of the United States "travel with their constitutions in their pockets" (J. Fred Rippey, *Rivalry of the United States and Great Britain over Latin America*, Baltimore, 1929, p. 101).



Public opinion will not require from the Libertador . . . more than the actual condition of his country will allow. It is well known that circumstances, which are the results of centuries, cannot be overcome in an hour. The world will, therefore, give him full credit for advising . . . the establishment of institutions as liberal as existing circumstances will permit.<sup>20</sup>

It is also possible that Bolívar's aspirations for a large nation in northern South America and for a sort of Hispanic-American league of nations are deserving of praise rather than censure. At any rate, they merit no more serious condemnation than the reflection that might be made with reference to many a political leader; namely, that his ideals were a century or so ahead of his time.

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<sup>20</sup> Instructions of December 12, 1829, State Department Archives, Instructions, American States, XIV. 51.

Bolívar's attitude toward monarchy has been the subject of much discussion. It is probable that he considered its establishment virtually hopeless and preferred a republic governed by the aristocracy. In this connection, see A. Villanueva, *El Imperio de los Andes* (Paris, 1914), Rippy, *op. cit.*, p. 150 *et seq.*, and Vicente Lecuna's notes to the Spanish edition of J. B. Lockey's *Panamericanism* (Caracas, 1927).

## SPANISH OCCUPATION OF THE ISLAND OF OLD PROVIDENCE, OR SANTA CATALINA, 1641-1670<sup>1</sup>

Students of colonial Hispanic American history are well aware that in a number of cases Spain occupied certain areas in order to keep them from falling into the hands of another nation. Its colonization of Santa Catalina Island in the seventeenth century was an incident typical of this policy of defensive expansion.

The international contest for control in the Caribbean was at its height in this period. As Spain had weakened, its enemies had begun to encroach upon its commercial and territorial monopoly. Freebooters and smugglers made inroads on its trade. Settlers established themselves upon many of the smaller islands which Spain had neglected in the rush toward the greater riches of continental America. Lack of resources prevented Spain from maintaining a continuous and effective policy of defense<sup>2</sup> but it was still capable of energetic action in an emergency.

Such an occasion arose in connection with an island of the western Caribbean known at the time as Santa Catalina. Here an English colony was established in December, 1629. One of the commercial associations common to the period, the "Company of Adventurers to the Island of Providence", was back of the project.<sup>3</sup> The settlement was at first founded both

<sup>1</sup> The manuscript materials upon which this study is mainly based were obtained in the Archivo General de Indias in Seville while the writer held a Research Fellowship of the Native Sons of the Golden West. In view of the fact that most of the citations listed are to Spanish documents, the Spanish name for the island in question, Santa Catalina, has been used rather than the English title of Old Providence.

<sup>2</sup> Cf. R. D. Hussey, "Spanish Reaction to Foreign Aggression in the Caribbean about 1680", in *THE HISPANIC AMERICAN HISTORICAL REVIEW* (August, 1929), IX. 286-303.

<sup>3</sup> The story of the Providence Company has been ably recounted by Arthur P. Newton in his *Colonizing Activities of the English Puritans* (New Haven, 1914),



from a desire to utilize the natural resources of the island and to afford an asylum for Puritans who wished to escape from religious and political difficulties in England. Later, interest developed in illicit trade with Spanish colonials and with natives. Eventually, as in the case of many of the non-Spanish settlements of the West Indies, the colony became primarily a haven for privateers.<sup>4</sup>

Santa Catalina was a particularly favorable location for a foreign colony of this type. The island itself was small, but was considered one of the best in the Caribbean. It was fertile and had a good climate, and it possessed a fine harbor which could be easily fortified.<sup>5</sup> Even more significant was its location. It lay off the coast of Nicaragua, about equidistant from the important ports of Cartagena and Portobelo, and was close to the course followed by vessels sailing from those harbors to Vera Cruz or Havana. With its occupation by the English, Spanish commerce in the western Caribbean was potentially endangered. When it definitely became a base for privateers, Spanish authorities were forced to act.

The first Spanish attempt to capture Santa Catalina occurred in 1635. This failed, and a strong expedition sent in 1640 was likewise unsuccessful. An energetic and capable Spanish admiral, Don Francisco Diaz de Pimienta, then sought and gained special permission to undertake the capture of the island. After thorough and careful preparation he led a strong force against it in May, 1641, and took possession after a sharp fight.<sup>6</sup> The English colonists were sent to Car-

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which covers the history of the colony planted on Santa Catalina as well as broader aspects of the company's operations. The title of Providence seems to have been first applied to the island in 1630.

<sup>4</sup> *Ibid.*, 6; W. F. Craven, "The Earl of Warwick, a Speculator in Piracy", in *THE HISPANIC AMERICAN HISTORICAL REVIEW* (November, 1930), X. 469.

<sup>5</sup> For a map of the island, and further descriptions, see Newton, *op. cit.*, 12, 53, 204.

<sup>6</sup> *Ibid.*, 299-303. Pimienta's report of the capture was printed in Spain in 1642. A number of documents in 73-2-17 deal with this and previous attacks.

tagena for transportation to Europe,<sup>7</sup> and for the time being Santa Catalina ceased to be a source of danger to Spain.

Once possessed of the island, Pimienta had to turn his attention to the future of his prize. He had been instructed to dismantle the English forts, but the strategic position and natural resources<sup>8</sup> of the island were so great that he hesitated to carry out this order. If abandoned there was danger that it would be reoccupied immediately by some enemy; the interest of the English was self-evident, and Pimienta had received information that the Dutch likewise coveted Santa Catalina and had offered the English as much as six hundred thousand pieces of eight for it.<sup>9</sup> He therefore decided that it should be held as a permanent Spanish outpost.

For defense of the new possession Pimienta detailed a force of one hundred and fifty gunners and infantrymen. These were chosen from both the Spanish and Portuguese contingents of his command.<sup>10</sup> Don Geronimo de Ojeda, one of his captains, was selected as governor. Since some sixty pieces of artillery of various caliber and many muskets and other munitions of war had been taken with the island, the provision of arms for the post was a simple matter. A few of the three hundred and eighty-one Negro slaves captured were selected to act as laborers. When arrangements had been completed to his satisfaction, Pimienta sailed with his armada for Cartagena, which was reached on June 6, 1641. Official approval of his establishment of a permanent presidio on the island was given by royal cédula in 1643.

<sup>7</sup> Pimienta stated that the women and children were quartered for the time being among the inhabitants of Cartagena, who had asked for them with pleasure, and that subsequently they were to be sent to Cadiz and from thence to England, at their own cost (Report of Pimienta, September 11, 1641, 73-2-17). This treatment is pleasing to note in view of the fact that the English governor had previously handled Spanish captives without mercy (Newton, *op. cit.*, p. 298).

<sup>8</sup> Quicksilver was listed as an item of production, and later the discovery of a mine of this metal was even reported (Pimienta to the king, January 28, 1643, 73-2-17).

<sup>9</sup> Report of Pimienta, September 11, 1641, 73-2-17.

<sup>10</sup> *Ibid.* Two-thirds were Spaniards and one-third Portuguese.



England soon learned that Santa Catalina had been captured by Spain. While Pimienta was yet at the island two enemy vessels which approached were fired upon but escaped to bear news of the seizure.<sup>11</sup> Even though the affair received some publicity in London,<sup>12</sup> no immediate attempt to regain possession was made. The loss was a hard blow to the Providence Company, but its members were too preoccupied with the affairs of the civil war then imminent to attempt to retrieve their losses.

Energetic action had now given Spain control of an important strategic point and external conditions were in favor of maintenance of the new colony on a satisfactory basis. In spite of the absence of outside interference, however, the prosperity which Pimienta had visualized for Santa Catalina did not develop. The same factors which had prevented Spain from colonizing the island in earlier years were still operative and financial resources were now even weaker. Defensive expansion to be wholly successful involved support of a colony as well as its establishment, and this the Spain of the seventeenth century found difficult of accomplishment.

Almost at once the governor of Santa Catalina found himself faced with the problem of obtaining adequate supplies. In his report of 1644,<sup>13</sup> Governor Ojeda made note of a number of necessities. A small vessel was requested as a permanent property so that prompt communication with Cartagena would be possible in case of attack. The post lacked a powder house and a hospital. Materials were needed for the construction of cisterns on the "smaller island".<sup>14</sup> Twenty additional pieces

<sup>11</sup> Newton, *op. cit.*, pp. 304-306. A vessel which arrived later was captured by the Spaniards.

<sup>12</sup> *Ibid.*, p. 303.

<sup>13</sup> Ojeda to the king, November 10, 1644, 73-2-17.

<sup>14</sup> This "smaller island", mentioned several times in Spanish records, does not appear as such on most maps of Santa Catalina. A small peninsula juts out from the northern side of Santa Catalina, and it was no great task to cut the low neck of land which joined the higher portion of the peninsula to the mainland and thus construct an "island". Newton mentions this as having been done by buccaneers in 1670 (*op. cit.*, p. 53, note) but it would seem certain from the

of artillery were necessary, and in order to keep the fortifications in repair the governor asked for a detachment of fifty sappers. He likewise reported that in spite of the fertility of the island its population had not increased.

The governor also had had some trouble with his men. Certain soldiers of the Portuguese contingent of his garrison had plotted to kill the governor and some of the Spaniards and then to become buccaneers. Ojeda had discovered their intentions in time to prevent the success of the mutiny. The ringleaders in the conspiracy were punished by a sentence of six years in the galleys.

In 1646 and 1647 Governor Ojeda was forced to repeat and to enlarge upon his earlier requests. He had never received the boat or the military supplies ordered. He still lacked hospital facilities. Church furniture was so inadequate that it was almost impossible to hold mass. The population of the island had steadily decreased, for neither free colonists nor Negro slaves had been sent to the colony. The soldiers of the garrison by this time were forced to spend part of their time in cultivation of the fields in order to add to their rations, and even then were in need. They were likewise dissatisfied because of arrears in wages and because the post was so isolated.<sup>15</sup>

The state of affairs at Santa Catalina as described in these earlier years of Spanish occupation was to continue unchanged for some two decades. Regularly the governor requested supplies and reinforcements which just as regularly he did not receive, at least in quantities sufficient to improve conditions. The strength and morale of the garrison steadily declined. Weapons and munitions were deficient both in quantity and

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Spanish records that the operation had been carried out at an earlier date. The strongest fortifications on Santa Catalina were built on this promontory because it commanded the harbor and was easily defended.

<sup>15</sup> The latter point was always a cause for complaint on the part of the troops. Soldiers were exchanged infrequently, if ever. Even a replacement of the Portuguese members of the garrison, ordered in a *cédula* of 1648, was not carried out so far as could be determined.



quality. By 1660 the post was an exceedingly weak point in the Spanish line of defense against foreign aggression.

Neglect of Santa Catalina in this period did not occur because of ignorance or lack of attention on the part of higher officials. Various *juntas de guerra* recommended that its defenses should be placed on a better footing. The Cartagena authorities who had charge of the island<sup>16</sup> consistently favored measures designed to increase its population. One Don Juan de la Vega Bazan, a former captain of the annual *flota*, was ordered to Tierra Firme in 1645 with instructions to provide aid for Santa Catalina, as well as to prevent the sale there of wine from Peru. In 1648, Don Juan Somovilla de Tejada, a captain of engineers, made an inspection of the island. In his report, he pointed out that Santa Catalina was quite valuable, with its healthful climate, fertility, ample supply of water, and good stands of timber. He recommended that the post should be maintained for both economic and strategic reasons.<sup>17</sup> The weakness of Spain, however, lay not in lack of information as to the value or needs of the post, but in finding means to supply its requirements in the face of manifold demands on the royal treasury.<sup>18</sup>

Santa Catalina became a source of greater concern to Spain shortly after 1650. Conditions in England had changed so that it was no longer absorbed solely in domestic affairs. An English expedition took Jamaica in 1655, and other points in the Caribbean were threatened. In 1657, the governor of Santa Catalina reported that thrice in a year English vessels had reconnoitered the island. Two years later he again called attention to the danger of an English attack where his force was so inadequate. A junta in Cartagena considered his re-

<sup>16</sup> In later years at least part of the administration of the island was carried out from Panamá.

<sup>17</sup> Report of Juan Somovilla de Tejada, 1648, 72-3-17. He is later mentioned as having visited the island four times in all.

<sup>18</sup> While certain of the records indicate that money was appropriated for the purchase of supplies for Santa Catalina such funds seem to have been regularly diverted to other projects.

port in 1659, and there was some feeling that in view of conditions it might be well to abandon the island. If done, the garrison might be transferred to San Martín<sup>19</sup> as a better base for defense against Spanish enemies. Even this retrogressive measure was not immediately carried out, however, and in 1661, another council decided to maintain the Santa Catalina presidio.

Further orders were issued in view of the decision to hold the island. A *cédula* of 1661<sup>20</sup> requested the president of Panamá to forward information on conditions at Santa Catalina, particularly in regard to the status of its population. Later in the same year, and again in 1662, instructions were given to reinforce its garrison. In order to lessen the opposition of soldiers to service on the island it was suggested that fifty or more women who had been leading scandalous lives in Cartagena and Panamá should be sent to Santa Catalina. This plan would supply that tropical Eden with at least a proportion of Eves and would also improve the moral tone of the mainland cities. In 1666, it was also recommended that the personnel of the garrison be changed yearly.

Intention was again more pretentious than realization. Only ten or twelve soldiers were sent to Santa Catalina although Governor Ojeda had indicated a shortage of at least thirty files. In 1662, authorities planned to send four hundred Negroes to the island in order that cultivation might be put into effect upon a large scale. No Negroes had been sent by 1665; in 1666, the number who were to go was reduced to seventy men and thirty women, and there is no evidence that any of them were ever dispatched. In spite of councils and plans and in the face of evident danger Santa Catalina remained definitely unprepared to resist attack.

The procrastination of Spain in adding to the defenses of the island reaped its reward in 1666. Five English vessels arrived from Jamaica on May twenty-fifth of that year. The attack caught the Spanish governor unprepared. Fighting

<sup>19</sup> In the Leeward Islands!

<sup>20</sup> July 15, 1661 (72-3-17).



started at three o'clock in the afternoon and by eight the next morning the invaders had captured the governor's house. Soon after the Spaniards surrendered. The attacking force consisted of one hundred and eighty men, and it was noted that some women were with the expedition. Spaniards who were released after the engagement brought to Panamá the first news of the loss of Santa Catalina.<sup>21</sup>

Governmental responsibility for the attack on Santa Catalina was disclaimed by England. Lord Arlington, the British first secretary of state, stated<sup>22</sup> that the attack on the island had not been ordered either by himself or by the governor of Jamaica. He held that it had been carried out by "some pirates who navigated in those seas and who had not yet subjected themselves to the (English) king after he had regained his crown".<sup>22a</sup> Even though official responsibility was disclaimed, the English secretary seemed to possess a great deal of information about the expedition. He stated that originally the buccaneers had not intended to attack Santa Catalina, but had departed to operate against the "Island of Curatoo".<sup>23</sup> The Spanish post had been taken because the expedition had been denied water and supplies, and because its members had been "treated like barbarians" and denied common courtesies and needs. Since he could claim that the island had been taken by buccaneers Lord Arlington made no offer to restore it to Spain.

<sup>21</sup> The loss of the island was reported by Don Juan de Ocampo, who is spoken of as "former governor of the island" (President of Panamá to the queen, June 23, 1666, 73-2-17). The date on which he succeeded Ojeda as governor is not clear but seems to have been after 1662. This capture of Santa Catalina was also recorded by the famous buccaneer writer, Esquemeling. He listed the attacking force as numbering five hundred men in fifteen ships, however, and stated that Mansvelt and Henry Morgan commanded them (A. O. Esquemelin, *The Buccaneers of America*. . . [Routledge ed. no date], p. 120). He stated that the buccaneers intended to hold the island as a permanent base.

<sup>22</sup> In a letter transmitted through the British minister at Brussels to the Marques de Castel Rodrigo and forwarded by him to the *Consejo de Indias*, where it was endorsed under date of January 11, 1667 (73-2-17).

<sup>22a</sup> *Ibid.*

<sup>23</sup> Undoubtedly Curaçao. England was then at war with the United Provinces.

Where the reiterated warnings of twenty years had brought no action, actual loss of Santa Catalina stung the Spanish authorities into comprehensive plans for its reconquest. They feared at first that the affair indicated the opening of a general conflict with England. Later news from Havana made no mention of a declaration of war, however, so they felt that for the time being it might be possible to concentrate upon the recapture of Santa Catalina.

The plans outlined in Spain favored<sup>24</sup> an expedition to the island at once, before it could be further fortified. It was also hoped that it might be possible to extend the objective to a reconquest of Jamaica. A council of war at Cartagena was ordered so that men on the scene could consider the feasibility of both projects. In view of the importance of the matter, the home government stated that if necessary a thousand or more men would be sent to the West Indies. The plans should not delay the sailing of the *galeones* later than the sixth of the coming January, however; speedy action was therefore important.<sup>25</sup>

In preparation for the Santa Catalina expedition the home authorities issued numerous orders. The viceroy of Peru was formally notified that Santa Catalina had been lost, and that men, ships, and supplies were being gathered to eliminate once more this menace to Spanish commercial security.<sup>26</sup> He was also instructed to see that Don Juan Somovilla de Tejada, the captain of engineers who had inspected the island in 1645, should be present at the council of war at Cartagena. The Duque de Veragua was ordered to take four war vessels to the Indies for the expedition. An order to Don Pedro de Montesarcho, governor of the armada, which instructed him to appoint a governor for the island as soon as it was recap-

<sup>24</sup> Conde de Peñaranda to the Marqués de Fuente el Sol, October 25, 1666, 73-2-17.

<sup>25</sup> Spanish statesmen felt that the plague which had prostrated London in 1665 and the great fire which had devastated it in September, 1666, would temporarily divert English interest from the Caribbean.

<sup>26</sup> Cédula of December 11, 1666, and letter of December 20, 1666, 73-2-17.



tured, indicated that the authorities intended to maintain a colony there in spite of difficulties.<sup>27</sup>

Councils at Cartagena for once resulted in action. By the summer of 1667, an expeditionary force had been organized under the general command of Don Juan Pérez de Guzmán, in charge at Panama at the time. Careful consideration of resources had reduced the scope of the project from that of earlier plans. Designs on Jamaica had been abandoned. Because Spanish pilots who had passed Santa Catalina had reported that it was not strongly defended, a force of two hundred and thirty men was considered ample for its recapture. The expedition was to be transported to the attack in a tiny fleet made up of one small frigate, one sloop, and three lesser barks. The venture was placed under the immediate command of Captain José Sánchez Ximénez, mayor of the city of Portobelo.<sup>28</sup>

The Spanish fleet reached Santa Catalina on August 12, 1667.<sup>29</sup> A scouting party which landed without molestation found that the English had retired to the "smaller island" and had hoisted the English flag over the fort known to the Spaniards as the Castillo de Santa Teresa.<sup>30</sup> Ximénez sent in a demand for surrender, and stated that he had been instructed to take over the island "by order of both crowns". The English commander refused to recognize the authority of the Spanish leader upon the ground that he had been informed by the governor of Jamaica that war had been declared. While the Spanish officers were gathered to consider this answer and to plan their course of action, three Negroes boarded their vessels. These informed Ximénez that the island was defended by only fifty-two men, all of whom were gathered on

<sup>27</sup> Queen to Don Pedro de Montesareho, December 27, 1666, 73-2-17.

<sup>28</sup> Report of Guzmán, December 18, 1667, 69-4-9.

<sup>29</sup> *Ibid.*

<sup>30</sup> Three forts had been built on this peninsula in the days of the Providence Company (see Newton, *op. cit.*, p. 12, map). Warwick Fort, which commanded the harbor, in all probability was the one renamed Santa Teresa by the Spaniards.

the smaller island. Here they were well fortified but were in great fear that the Spaniards would succeed in an assault.

The Spaniards were greatly heartened by this information and their commander made preparations for a prompt attack. During the day the large island was occupied and examined. As soon as darkness fell so that their advance might be hidden, the troops in several detachments proceeded to attack the fort. After some fighting the English sent out two men under a flag of truce with an offer to surrender if they might keep their arms. Ximénez refused these conditions and stated that if they did not surrender unconditionally all would be put to the sword. This answer completed the demoralization of the defenders and the terms were accepted at midnight. Since maintenance of the island post had been previously decided upon, Captain Ximénez took charge as governor. He retained a hundred men from his forces as garrison.<sup>31</sup>

After Pimienta had captured Santa Catalina in 1641, an English vessel ignorant of the change in circumstances had approached and had been captured. A similar occurrence took place on October 2, 1667. A *fragatilla* which cast anchor in the harbor became a Spanish prize. Its small crew of twelve men and two women were sent to Portobelo for examination by Guzmán.<sup>32</sup>

Much information on the second English occupation of Santa Catalina was gained from captured papers and from the depositions of the prisoners.<sup>33</sup> According to the statement

<sup>31</sup> Report of Guzmán, December 18, 1667, 69-4-9. The cost of the expedition was estimated by Guzmán to amount to 54,897 pesos. Esquemeling includes in his volume (*op. cit.*, pp. 121-126) a report on this affair written by a Spanish engineer. It checks quite closely with the above account, except that the English capture of the island was said to have taken place in 1665, and the recapture either in the same year or in 1666. The forces on both sides were also listed as somewhat larger.

<sup>32</sup> Guzmán to the queen, December 18, 1667, 69-4-9. The incident is also mentioned by Esquemeling.

<sup>33</sup> Guzmán to the queen, June 24, 1668, 69-4-9. At this time, he stated that three of the English leaders were held in a prison at Panama and "should never leave it because of the damage they might do".



of one of them named Stanley Steven, the island had been taken in 1666 by a certain Thomas Whetstone, or Wheston, whose "other name was Cromwell", and who was a nephew of the great protector. He and his friends had fitted out four vessels in London in order to carry on privateering in the South Seas.<sup>34</sup> They had gone against Santa Catalina looking for Hollanders rather than Spaniards, and had taken it "before they knew that war had been declared against Spain".

A commission which named one Major Samuel Smith as governor of Santa Catalina,<sup>35</sup> was among the papers taken. It had been issued by Governor Modyford of Jamaica. With the commission were various instructions for the formation of a government for the island, which would seem clear evidence that England had intended to retain the post whether it had been taken in time of peace or not. Blank letters of marque for issuance to English captains were also found. These authorized action against Spanish vessels, towns, and lands, south of the Tropic of Cancer, as well as against those belonging to the United Provinces. Instructions to Major Smith included an order to send all prisoners taken to Port Royal, Jamaica, "so that they might be treated in the same manner that English captives had been treated by the enemy".

Spain was no more able to maintain strong defenses at Santa Catalina after 1667 than during the period of its first occupation. Some supplies were sent to the island by Guzmán shortly after it had been recaptured,<sup>36</sup> but it was not long until the usual shortages developed. The annual report submitted by the governor of the island in 1669 contained requisitions for both food and munitions.<sup>37</sup> A curate was needed,

<sup>34</sup> This statement would seem to bear out the assertions of Lord Arlington in regard to the attack, rather than those of Esquemeling.

<sup>35</sup> According to Esquemeling, the governor of the island in this period was a Frenchman named Le Sieur Simon. Since many of the papers captured were on the small vessel which was taken in October, Major Smith may not yet have assumed command.

<sup>36</sup> Guzmán to the queen, December 22, 1668, 69-4-9.

<sup>37</sup> Governor of Santa Catalina to Guzmán, December 1, 1669, 69-4-9.

also, since no one on the island was qualified to care for the souls of the garrison. The governor asked that women colonists be sent if possible in order to lessen the dissatisfaction of the soldiers, who were as usual grumbling over service at the isolated post. A month later, the request for women was repeated; at the same time it was noted that there was urgent need for a surgeon.<sup>38</sup>

In spite of inadequate support, there is some evidence that the population of the island was greater in this period than in previous years. Guzmán, in 1668, recommended that, since the garrison could not stand the climate, Negroes should be supplied to do the heavy work of the post, and some may have been sent. According to Esquemeling,<sup>39</sup> the Spanish authorities also used the island as a penal colony to which they "commonly banished all malefactors of the Spanish dominions in the West Indies". Whatever the cause, the population by 1670 had increased to four hundred and fifty persons, of whom approximately a third were Negroes.<sup>40</sup>

Santa Catalina did not long remain a Spanish possession. In 1670, Henry Morgan made his famous attack on Panama, and as a preliminary descended upon Santa Catalina with over a thousand buccaneers.<sup>41</sup> At first inclement weather aided the Spaniards and they managed to defend themselves successfully upon the smaller island. Morgan then entered into a parley with the Spanish commander. The latter decided to surrender, but in order to save his reputation made a curious compact with Morgan. The buccaneers were to pretend a furious attack upon the Spaniards. The garrison would make an equally pretentious show of resistance and then would surrender. Much powder was to be burned by both

<sup>38</sup> Governor of Santa Catalina to Guzmán, January 2, 1670, 69-4-9.

<sup>39</sup> *Op. cit.*, p. 179.

<sup>40</sup> *Ibid.*, p. 182. The carefully itemized list gives the strength of the garrison as one hundred and ninety men. The remainder were civilians and Negroes.

<sup>41</sup> No report of this attack upon the island was found among the Spanish records. The account given is condensed from the vivid and detailed story told by Esquemeling (*op. cit.*, pp. 179-184).

sides but no bullets were to be used. The farce, which included a pretended capture of the Spanish governor, was enacted to the mutual satisfaction of both parties if Esquemeling's account is true.

The munitions, armament, and fortifications of Santa Catalina at the time of its capture would indicate that it was considered a definitely important post in the Spanish defensive system. The island was defended by nine forts or batteries, and the supplies of munitions and arms of all kinds were listed as rather extensive.<sup>42</sup> The store of powder, for example, was mentioned as amounting to thirty thousand pounds. The place offered great advantages as a buccaneering base, and Morgan remained there for a time with part of his men. Before leaving for Panama, he destroyed most of the buildings but did not harm the fortress of Santa Teresa. He planned to return to the island after his operations on the Isthmus but the arrival of a new English governor at Jamaica, with orders to prevent attacks on Spanish posts by English subjects, made the plan untenable.<sup>43</sup>

The Spanish records of the seventeenth century contain one final reference to Santa Catalina. In 1688, a detachment of the annual fleet was ordered to coöperate with the Windward Squadron in order to "subdue" that island and another called Oro, and to populate them if it seemed wise.<sup>44</sup> These instructions were obeyed even though those pilots who frequently navigated the waters near Santa Catalina had reported that no one had been seen there for half a year or more. Five vessels under Don Nicolás de Gregorio and six ships of the Windward Squadron left Cartagena on December 17,

<sup>42</sup> Esquemeling's estimates seem rather high in view of the frequent requests for supplies of all kinds made by the Spanish governors of the island. It may also be noted that, while there were many cannon at Santa Catalina, Spanish reports of earlier years described them as worn out and worthless.

<sup>43</sup> Esquemeling, *op. cit.*, pp. 190, 240. Morgan planned to establish Santa Catalina as a permanent refuge for the buccaneers as early as 1666.

<sup>44</sup> King to Don Nicolás de Gregorio, June 6, 1688, 69-4-14. A pirate called Lorenzillo was mentioned as the principal foe.



1688, and arrived at Santa Catalina on the nineteenth. Several vessels were sighted to leeward at the time of arrival but contact with them was not established. The whole fleet remained at the island overnight. In the morning, Gregorio continued on his way to Havana while the ships of the Windward Squadron returned to Cartagena. Two frigates and a smaller bark remained a short time longer to carry out a thorough investigation of the island. The former then sailed for Vera Cruz. The bark returned to Cartagena with word that the examination of the island had revealed no indication of recent habitation. Curious soldiers, who had searched the ruins of the old Spanish fortress of Santa Teresa, had found a few rusted twelve pounders, about the only relics of former occupations which had survived. It was deemed inadvisable by both the commander of the expedition and the governor of Cartagena to colonize the island again and Santa Catalina was left ungarrisoned, to serve as a haven for an occasional pirate vessel or as a refuge for escaped slaves.<sup>45</sup>

Santa Catalina never occupied a place of importance in Spanish plans after 1688.<sup>46</sup> The attempts to make the place a permanent colony had been failures. In spite of this, however, Spain's efforts had been worth while. Spain had accomplished its main purpose since it had prevented its enemies from maintaining possession of a very dangerous base from which to attack Spanish cities and commerce. To this extent, then, the Spanish occupations of Santa Catalina Island between 1640 and 1680 must be considered as a successful phase of Spain's policy of defensive expansion.

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<sup>45</sup> The report of this visit to Santa Catalina is included with other items bearing on activities against pirates in an *expediente* which covers the years 1688-1691 (69-4-14). Many persons now living on the island are supposed to be descendants of buccaneers or escaped slaves (P. J. Eder, *Colombia* [London, 1913], pp. 190-191).

<sup>46</sup> After 1670, there was general peace in international affairs in the Caribbean, with buccaneering the only serious problems (R. D. Hussey, *op. cit.*, p. 301).

## DOCUMENT

### UN DOCUMENTO INEDITO RELATIVO

#### A

#### “COMO FUNCIONABA EL CONSEJO DE INDIAS”

Resulta tarea harto embarazosa para los investigadores americanistas interesados en la identificación histórica del Real y Supremo Consejo de las Indias, la reconstrucción de los primeros años de su existencia. Son muy escasas e imprecisas las noticias que se conservan de esta primera época, hasta el punto que sólo después de pacientes búsquedas, en los archivos de Simancas e Indias, ha podido trazar el profesor aleman E. Schaefer, profundo conocedor de la historia del Consejo, con bastante acierto, las líneas generales que siguió la gobernación de los asuntos ultramarinos en los primeros años de la colonización.

No es nuestro propósito hacer en el momento presente una exposición detallada del desarrollo de esta institución. Plumas más competentes y mejor informadas están, como he dicho, desde hace años, consagradas a estas especiales investigaciones; por ello resultaría completamente pueril que tratásemos nosotros de trazar direcciones y enmendar planas sin la debida garantía científica. Unicamente pretendemos, eso si, aportar algunos datos interesantes y curiosos relacionados con el funcionamiento del más encumbrado organismo colonial, para, de este modo, contribuir en alguna medida a facilitar la labor de los especialistas y satisfacer, en una pequeña parte, la curiosidad creciente que, de día en día, despiertan los problemas relacionados con la historia americana. Esta, y no otra, es la finalidad que nos guía al escribir estas líneas, para las que solicitamos, desde un principio, toda la benevolencia del lector.

A comienzos del siglo XVIII (1713) se dictaron unos reales decretos de importancia capital en la historia del Supremo Tribunal indiano, por cuanto que en ellos se esbozan las líneas fundamentales de la nueva planta que éste había de tener en lo sucesivo. Con este motivo elevó el Consejo, al año siguiente, una representación a Felipe V, en la que le daba cuenta, en ligeros trazos, del origen y vicisitudes de su vida, de las leyes que había tenido a la vista en el gobierno de los dilatados territorios descubiertos y, prolijamente, por extenso, de su funcionamiento y organización interna.

“Residió el primer Gobierno de las Indias—dice el Consejo—en la Casa de la Contratación de Sevilla presidiéndole el Dean de aquella Santa Yglesia, después Obispo de Burgos.”<sup>1</sup> En efecto, desde los primeros días del descubrimiento (en tiempos del rey Fernando) corrieron los asuntos de Indias por manos de D. Juan Rodríguez de Fonseca, el cual, después de vuelto el rey Católico al gobierno de Castilla, en 1508, fue encargado oficialmente de la dirección de los asuntos coloniales, y desde 1504 también del sello destinado para sellar las provisiones de Indias.<sup>2</sup> De secretarios del correspondiente despacho servían por este tiempo, Juan de Coloma (secretario de la reina Isabel, que autorizó varios contratos de Colón), Miguel Pérez de Almazán, Gaspar de Gricio y Lope de Conchillos, a la muerte de Gricio.<sup>3</sup> Tanto Fonseca como los secretarios sólo entendían en los asuntos administrativos, porque en todo lo que tocaba a la justicia la autoridad suprema era el Consejo de Castilla.

<sup>1</sup> “Representación hecha á S. M. por el Consejo de Yndias, exponiendo las reglas, y leyes que ha observado para el gobierno de ellas, desvelo y dilatado tiempo que se causó en su formacion, y perjuicios que se podrian ocasionar de alterarlas. Año de 1714”. Biblioteca del Palacio Nacional de Madrid, sig. 844, ms.

<sup>2</sup> Ernst Schaefer: “El origen del Consejo. ¿Ha existido la Junta de indias?”, *Investigación y Progreso*, Marzo, 1933.

<sup>3</sup> Por parecernos de gran interés, insertamos al final de este trabajo, en forma de apéndice, una minuciosa relación de los secretarios que tuvo el Consejo, desde Juan de Coloma (1492) hasta 1793. Biblioteca del Palacio Nacional, Miscelanea de Ayala, to LVIII, sig. 2876.



Pero, más tarde, “como por Mar, y Tierra con los descubrimientos, y conquistas se fuesen aumentando sus Dominios, pasó S. M. aquel Gobierno á Madrid poniendole al cuidado de dho Obispo (Fonseca) y quatro Consejeros de Castilla”, en cuya forma se mantuvo hasta el año 1520.<sup>4</sup>

Con la subida al trono de Carlos I se cambia—según afirma el profesor Schaefer—el antiguo sistema burocrático, que había regido en la administración de las Indias, por el sistema llamado colegial, que da lugar a lo que desde entonces se llamó, con bastante frecuencia, *junta o consejo de Indias*. A partir de este momento han de cooperar en la administración colonial (de la justicia seguía conociendo el Consejo de Castilla) al lado del omnipotente Obispo de Burgos otros personajes, como Zapata y Mártir de Anglería. A este período de reorganización gubernativa hace referencia el Consejo en la representación de 1714, cuando dice que S. M., en vista de la complejidad administrativa de los extensos territorios recién descubiertos, “mandó formar una *junta* especial, compuesta del dicho Obispo, quatro ministros de Castilla, un relator, y un Portero, y en esta forma corrió por quatro años después, hasta el de 1524”.<sup>5</sup>

Poco a poco fué creciendo la importancia de esta *junta*, hasta que, en vista de todo, el Emperador dio planta fija al Consejo de Indias (1524), con el título de Real y Supremo y con todas las atribuciones, tanto administrativas, que siempre había tenido, como judiciales, hasta entonces vinculadas en su correspondiente castellano:<sup>6</sup>

Porque creciendo los descubrimientos cada día, interpelaron a la creación de Ministros, y personas que determinadamente entendiesen en solas las dependencias de las Yndias, y así se erigió un Consejo en toda forma absolutamente segregado y separado del de Castilla, y todos los demás Tribunales de España.

Señalaronse por entonces, y por pie fijo un Presidente, un Chan-

<sup>4</sup> Representación. . . . *cit.*

<sup>5</sup> *Ibid.*, . . .

<sup>6</sup> Ernst Schaefer, “El origen del Consejo de Indias. La fundación del Consejo por Carlos V”, *Investigación y Progreso*, Mayo, 1933.

ciller, ocho togados, un fiscal, dos secretarios, un Theniente de Chanciller, tres relatores, un Escribano de Cámara, quatro Contadores, un Thesorero General, dos solicitadores fiscales, un Coronista, un Cosmographo, un Maestro de Mathemáticas, un Tasador, un Abogado, un Procurador de Pobres, un Capellán, quatro Porteros, y un Alguacil; todo con la calidad de por ahora; mantuvose en esta forma desde el año de 524 hasta el de 1636 que después aca (1714) ha tenido aumento en el número de Ministros, y de oficios.<sup>7</sup>

A renglón seguido, después de un breve bosquejo histórico de la legislación indiana, pasa el Consejo a describir, con una gran precisión y cantidad de detalles dignas de la mayor estima y consideración científica, "lo que Gobierna, la forma, y modo con que lo Gobierna y despacha"; en una palabra, su organización interna y su funcionamiento habitual.

Esta es, precisamente, la parte capital del informe. Por su gran interés, copiamos integramente, a la letra, su contenido, porque a través de este fragmento puede estudiarse, con gran colorido, hasta el año 1714, la complicada organización del Consejo Supremo de Indias.

Enbianse en cada ocasion de flotas, o de Galeones de ambos Reynos treinta ú quarenta Cajones de pliegos, Autos, procesos y papeles mas ó menos Cajones en los Navios sueltos de permission de Comercio que llaman, y en los avisos de uno y otro Reyno, y de las Yslas y Costas.

Todos bienen siempre en derechura á parar a la Sala de Gobierno del Consejo donde presentes el S<sup>or</sup>. Presidente, todos los Señores Ministros, y el Oficio de Correo mayor de España, se abren los referidos Caxones: trahe cada uno un Yndice con toda distinción de los pliegos, los autos, procesos, residencias, consultas, testimonios é informes que se embian, tanto de Virreyes, Audiencias, como de Yglesias, Prelados, Comunidades, Ciudades, Gobernadores, Corregidores, Alcaldes mayores, Ministros y Oficiales reales de la real Hacienda, quejas ó pretensiones de vasallos particulares.

Lo primero que se reconoce son las cartas quantas que en cada ocasion se embian, y los Navios en que los Caudales vienen, y en este acto y abertura sin levantarse el Consejo acuerda incontinentemente poner todas las cartas quantas originales en manos de S. M. sin embargo

de que Generales, Diputados, Capitanes, ó Maestres de plata al punto de dar fondo, suelen embiarlas en derechura á S. M.

En este mismo acto, se veen todos los rotulos, ó titulatás de cada proceso, residencias, questas, Consultas, é informes &<sup>a</sup> hasta el ultimo pliego apartandose todos los pertenecientes al Gobierno y servicio de S. M. en todas lineas por que todos bienen para S. M. rotulados.

Vienen en dichas Cartas quantas con gran separacion los Caudales, y los Reynos y Provincias de donde se remiten y de los ramos que proceden y de todos los dhos Yndices se saca copia, y pone en uno de los Cajones del Consejo.

Hecha la separacion de todos los pliegos, Autos, Consultas, informes, procesos y de todo quanto es Gobierno y servicio de S. M. se lo lleva todo á su casa el s<sup>r</sup> Secretario, de donde en aquella ocasion vienen los Navios, el qual distribuye los Cajones y los plyegos entre los Oficiales que estan destinados para el despacho de cada Prov<sup>a</sup>, de forma que el pronto despacho consiste en esto, y en que cada oficial tenga presente quanto en las Provincias de su incunvencia se comprende; de forma que si se ofrece alguna especial materia y el s<sup>r</sup> Secretario la participa entre todos sus Oficiales cada uno le participa los expedientes, ordenes, y provid<sup>a</sup> antiguas, ó modernas que sobre la referida materia se han ido dando ó estan pendientes, y este es un esencialísimo punto, por que sin el se bolverá a las mismas antecedentes confusiones, y cada dia se encontrarán las resoluciones.

En los siguientes dias, se va dando quenta por el S<sup>or</sup> Secretario de la Negociacion de aquellos Navios, de todos los Yndices que traen los dichos Cajones, y al margen de cada partida de los dichos Yndices acuerda el Consejo en unas que se lleven luego al Consejo, en otras al fiscal, en otras a la Contaduria y en otras a la Escribania de Camara.

Aplicanse desde luego los oficiales al reconocimiento de los papeles de su especial incumbencia y Provincias que despachan, y en la frente de cada uno ponen la nota de quien la embia y la fecha con una breve enunciativa de la materias que incluyen, si al tiempo de leerse los dichos Yndices se manda que desde luego se lleven al Consejo algunos papeles, y en ellos se reconoce haver interes de real Hacienda, Causa ó vindicta publica, ó derecho fiscal, es de entender que si es materia nueva se llevan los nuevos papeles como vienen al Consejo pero si sobre la misma materia en otros tiempos, ú ocasiones ha havido expedientes de aquella misma calidad en aquel Reyno, Provincia ó Ciudad se le agregan a los ultimos que se reciben todos los



concernientes a la dha materia tanto de tiempos antiguos como modernos y p<sup>a</sup> esto se pone un acordado al nuevo expediente en que se dice *al fiscal con antecedentes, ó traigase al Consejo con antecedentes.*

El frecuente despacho del fiscal deste Consejo, no es dudable que en todo es absolutamente distinto como lo es este Consejo, en el despacho y materias de todos los demas Consejos y Tribunales de la Corte y fuera de ella y asi haviendose de servir como merece, pide, y requiere esta fiscalia precisamente para el servicio de S. M. y el gobierno de las Yndias, es incomparable el trabajo.

La forma conque en este Consejo se despacha es el llevarsele al fiscal un expediente, un Ynforme, una Consulta, y asi todo lo demas en que es de advertir que casi siempre y para despacharlo todo y responder á ello es necesario que la Secretaria le agregue antecedentes, papeles, Consultas, resoluciones, y todo quanto ha precedido de la sugeta materia, es ó puede ser concerniente á ella, y estos son papeles de 4. de 10. de 20. de 40. y mas años y muchas veces, el que de la otra Secretaria, se le agreguen y junten papeles de otro Reyno y negociacion por si tienen alguna conexion en la dependencia actual y ver en ellos las providencias que alli se tomaron en diferentes tiempos, todo á fin de univocar el regimen universal, ó en toda la America, ó en cada Reyno, ó en cada Provincia sobre cada punto.

En esto que tanto importa consiste el universal Gobierno de todas las Yndias, y en evitar quanto sea posible la contrariedad de las resoluciones y providencias en una misma especie de negocios; salvo si la diversidad de las Provincias, su estado, y reglas del mejor gobierno, no repugnan el que las reglas que se practican en unas se observen en las otras. Y para esto es muy preciso el conocimiento y comprehension de lo que es, y hay y pasa y conviene en cada Reyno Provincia ó Ciudad.

Para tomar todos los referidos papeles, y expedientes y llevarselos al Fiscal ocurren al medio dia indefectiblemente los dos Agentes fiscales a la Secretaria de la incumbencia y negociacion de cada uno; estos son Abogados recibidos y aprobados en la facultad, experimentados en el obrar y proceder por que en su legalidad, y gran sigilo que deben observar consiste mucho el conveniente despacho por que todas quantas materias llegan á sus manos como sean de Gobierno todas son secretas no solo concurrir deben en ellos las calidades referidas sino mucha practica, comprehension, y experiencias de todo quanto se ha de ver y despachar en este Consejo y despachar para las Yndias

porque por buenos y aprobados que sean en otras materias, siendo ellos quienes ayan de ayudar al fiscal, y suministrarle muchas especies en las conferencias que con ellos tiene, estando ignorantes de ellas solo aprovecharán para que el fiscal los instruya a ellos; y los enseñe; Y si el Fiscal entra con la ceguedad misma, dexa entenderse que tal sera el despacho, y los perjuicios que podran esperarse.

Reciven los dhos Agentes fiscales en las Secretarias, todos los referidos papeles y expedientes con separacion de cada uno y de todos firman recivo y conocimiento con las fechas en los Libros de las Secretarias de donde los llevan.

Llevados a la Posada del Fiscal, y enterado de todo quanto contienen forma un extracto escrito tomando el origen, y punto de la dependencia que ocurre de forma que haviendo como hay casi siempre antecedentes, es preciso empezar el extracto desde el primer principio, y hir dando cuenta de todo quanto en aquella materia ha precedido en diferentes tiempos, las providencias que se han ido tomando, las Consultas y resoluciones que se han hecho, y en esta forma deciendo hasta la conclusion con el punto, sobre que los nuevos papeles vienen, y en vista de todo concluye con la expresion de su dictamen.

Aqui es preciso estar en la inteligencia de que todo quanto se despacha en el Consejo de las Yndias por la mayor parte, es puro Gobierno; y que este Gobierno y su despacho es absolutamente distinto de todas las materias que en todos los demas Consejos se tratan y despachan.

Es tambien de entender que en esta sala de Gobierno, es raro el negocio ó expediente que aunque se llame de Gobierno no contenga mucha jurisprudencia, Civil, Canonica, Municipal, leyes del Reyno, leyes de Yndias, ordenanzas, resoluciones, Bullas, Brebes especiales de Yndias, sinodales, dubios, consultados con S. M. o con la Santa Sede, de forma que para despachar en Gobierno el Consejo de las Yndias siempre ha mantenido hombres los mas doctos y experimentados en todos tiempos.

Conque haviendo de fundar el fiscal su dictamen en cada respuesta de Gobierno es preciso que sea fundandose y citando todo lo referido y aun hay materias tan irregulares y esquisitas en que es necesario, si se ha de cumplir con el oficio, escribir y hacer informes en derecho por que no se hayan visto, ni ofrecido en otros tiempos.

No es de omitir el que todas las respuestas fiscales, las empieza en la frente ó margenes de cada exped<sup>te</sup> y no alcanzando en los blancos

de ellos los va agregando pliegos sueltos quantos necesita, porque siempre conviene mucho la union de todos los papeles porque no se desmembren y confundan unos expedientes y materias con otras, para que en todos tiempos consten los motivos y fundamentos de las resoluciones que se han ido tomando, las Consultas que se han hecho con los reales Decretos que han tenido porque esta especie de expedientes de Gobierno del Consejo de las Yndias y su despacho, no son como los procesos que se forman en todos los Consejos; en Gobierno, ó en justicia donde se van cosiendo las Peticiones y Memoriales, ó Ynstrumentos que se presentan de forma que todos componen un rollo mayor ó menor, porque todos los papeles y expedientes de este Consejo en sala de Gobierno andan sueltos y desmembrados, aunque debajo de una cinta, y en una ocasion sirve, ó aprovecha una Consulta, una resolucion, ó uno de los expedientes que ha havido, sacandose y llevandose para despachar otros, en cuya forma, ninguno de los Tribunales despacha.

Siempre ha convenido el que los Señores Secretarios y el fiscal esten a la vista de todos los expedientes y todos juntos, por quanto acontece muchas veces, el que sobre una materia y punto de que un s<sup>r</sup> Secretario está dando quenta en la Secretaria, del otro hay expedientes pap<sup>a</sup> zedulas, ó resoluciones sobre la misma materia, y dando noticia el Señor Secretario que los tiene, se le piden, y pasan al Fiscal, si es necesario, ó los lleva, y se ven en el Consejo, para que las resoluciones tomadas en uno, si no hay inconveniente, se tomen en los que se estan viendo, sucede lo mismo al Fiscal por que si este retiene las especies de las materias que ha despachado y de las Providencias, y resoluciones que se han ido tomando las participa y pide a la Secretaria donde hace reflexion haver pasado en otras ocasiones.

Oida la respuesta y dictamen fiscal, vota el Consejo, ó se dá por visto el expediente, y si conviene mas vista de papeles ó la materia pide estudio, y mas instruccion se suspende por el tiempo necesario en que es de advertir que todo quanto absolutamente se vé y despacha en Sala de Gobierno en este Consejo, es á puerta cerrada y quien dá quenta es el s<sup>r</sup> Secretario á quien toca, y para ello tiene presentes todos los papeles nuevos, y los antecedentes porque en el Consejo de las Yndias todos los negocios de Govierno son y deben ser secretos, sin mas intervencion que la del Consejo el s<sup>r</sup> Secretario y fiscal porque nunca de materias de Gobierno se dá traslado, ni se oye a las partes como en otros Tribunales, ni estan presentes las partes, sus Abogados, Pro-



curadores, ni Agentes, pues si así no fuese, se perbirtiria y confundiria el universal Despacho y Gobierno de las Yndias.

La calidad de la materia dá motivo, ó para que á S. M. se le consulte, ó para que con lo que se acuerda, se despachen desde luego a las Yndias las ordenes y Cédulas de lo resuelto, pero haviendo Consulta todo queda suspenso hasta que vaje la resolucion de S. M. en cuya conformidad se despachan.

Suelen venir algunos procesos informativos con Autos sumarios y procesos de cosas que han pasado en Yndias; remiten estos al Consejo ó vien por informes ó por Consulta, ó para dar quenta ó para pedir providencias, en que es de entender que estos de la misma forma son secretos todos y de puro Gobierno por cuya causa se los llevan al Fiscal y puesto en ellos forma su respuesta, la qual las mas veces reserva en si, y buelve al Consejo, donde pide ó se manda de oficio se pongan en un relator por que la calidad de los Papeles, ó por ser un Proceso substancioso, ó por lo demasiadamente bolumboso, precisan á ello y de que se forme un Memorial ajustado de todos los referidos procesos, para lo qual señala el S<sup>or</sup> Presidente un relator a quien la secretaria los entrega reservadamente y firma su recivo y conocimiento en los Libros.

Puesto el relator en ellos, avisa al Señor Presidente que le manda entrar ó señala día, y en el que dá quenta es de la misma forma á puerta zerrada, y como va dicho, ora sea Gobierno, real Hacienda, ó negocio especial de parte ú otra qualquier materia que pueda considerarse.

De esta calidad de expedientes, y papeles de Gobierno que se encomiendan á relator, son muy pocos, porque siempre ha convenido y es preciso que todo lo que es Gobierno ha de ser reservado y secreto de forma, que primero han de estar executados los ordenes, y despachos, ó providencias en las Yndias que en España lo entiendan las partes, sus Agentes ó correspondientes y así suelen pasar dos y tres años primero que en España los referidos sepan las resoluciones.

Y así acabada la relacion sale de la sala el relator, y el fiscal entrega a la Secretaria su respuesta y dictamen sobre lo qual vota el Consejo y el S<sup>r</sup> Presidente manda volver á entrar al relator a quien unicamente se le dice siempre *visto, y lo acordado por Secretaria* sin que pueda entender nada de la resolucion conque buelve los autos a la Secretaria por donde se despachan las Cédulas de lo resuelto que si es Consulta se hace, y espera lo que en ella S. M. resuelve, y si no se despachan luego.

Ocurren muchas veces las partes ó sus Agentes con Memoriales que dan á S. M. los quales manda remitir al Consejo para que le informe con su parecer. Y aqui sucede lo mismo, porque si es materia que brevemente puede resolverse sobre tabla, se acuerda informa y Consulta por [*sic*] si es sobre punto que tiene antecedentes y necesitan verse, ó se le manda remitir al fiscal el real Decreto el Memorial, y los antecedentes, ó se mandan llevar por apuntamiento al Consejo, si pasa al Fiscal, forma el mismo extracto, y funda su dictamen, y si va por apuntamiento le hace la secretaria á quien toca, y en vista de todo se informa y consulta.

En lo que mas deve cargarse la ponderacion, para comprender el modo de despachar este Consejo y Gobernar las Yndias, es el que todo el Gobierno de ellas en todas sus causas y materias consiste en Gobierno por que lo judicial y pleytos contenciosos son muy pocos.

Y asi es de entender, que el freq<sup>te</sup> despacho son unos Autos informativos, una Carta con papeles, un Ynforme de Virreyes, Obispos, Audiencias, Comunidades, Oficiales de real Hacienda, ó de vasallos particulares, Corregidores, Presidentes, ó Ciudades, que todos vienen con su Carta de guia, y lo que casi siempre sucede, es que una misma Carta, en un Testimonio, en unos Autos, informes noticias, ó Consultas, vienen comprendidas diversidad de especies, y de puntos, y es muy raro el expediente que asi no venga.

Y como todas estas materias estan comprehendidas, en un mismo expediente y Carta guia, no hace el Fiscal diferentes extractos, ni respuestas sobre cada punto, por que fuera intratable, y asi en una sola respuesta responde con su parecer, dandole sobre cada punto, que aunque en una respuesta puede comprehenderlos, la separacion de los papeles de que se compone el expediente, es incapaz de poder hacerse, é incomprehensible la confusion en que las Secretarias perpetuamente quedaran y el Gobierno tanto del Consejo como de las Yndias.

Tambien acontece que en la variedad de puntos, y materias de un Expediente, Suelen venir comprehendidos algunos que necesitan mayor conocimiento de causa, y de controvertirse en la Sala de Justicia, y esto sucede pocas veces.

En tal caso, ó bien las partes interesadas en Yndias, tienen inteligencia de lo que se embia al Consejo tocante á sus dependencias, ó vien el Consejo lo reconoce, ó el Fiscal lo pide por que es necesario oir las partes en justicia.

Aqui tambien es menester hir en la inteligencia de que si los

Agentes ó las partes, si estan en España entienden ó alcanzan á saver la resolución que se ha tomado en Gov<sup>no</sup> no siendoles muy favorable, ocurren á S. M. ó al Consejo, pidiendo se les mande oír en justicia, por que para inquirir, ó procurar saber las resoluciones de Gobierno se ingenian por quantos medios pueden, y este es otro de los motivos para evitar el que los papeles de Gobierno no corran por muchas manos y que todo sea secreto.

Sobre el punto de pasar los papeles á justicia, y el ohir las partes, no ay regla fixa, ni es capaz de darse, por que siempre obra la prudencia, la experiencia y conocimiento del Consejo.

Por que si son los puntos de mero Gobierno, no cave el que de un Ynforme secreto, de unos Autos informativos que vienen en sumario, ó de una cosa, ó materia que todavia está pendiente en Yndias, y sin perfecta instrucción, ni de una Consulta de un Virrey, de una Audiencia, de un Corregidor, ó Gobernador, Ciudad, ó Comunidad, ó particular, se pueda mandar que pase a la sala de justicia, ande en lo publico, y en las manos de las partes, por que esto fuera un incomparable perjuicio y causa de irreparables males, y de atrasos.

Pero si es materia que sin inconveniente y con facilidad puede sacarse de los papeles del expediente entonces se manda que pasen a la Sala de Justicia (solo los papeles que fueren de pasar) porque todos los demas, los retiene reservados en si la Secretaria, y muchas veces acontece el que la Secretaria copie el desnudo punto que ha de controvertirse en Justicia y lo entrega a la Escribania de Camara.

Controvertido aquel punto en Sala de Justicia, y substanciado el juicio en toda forma, se ve á puerta avierta en dha Sala, con asistencia de las partes, y sus Abogados, y acavada la vista y los informes se manda llamar al s<sup>r</sup> Secretario el qual entra á sala despejada, y puerta cerrada, y dá quenta de todos los demas papeles de aquel Expediente ó materia que ha tenido reservados.

Y de aqui resultan dos determinaciones, ó mas, la una sobre el punto que se ha controvertido entre las partes en justicia, la qual se pronuncia por la Escribania de Camara; La otra es reservada y por Secretaria, por cuya oficina se despachan las Zedulas, por que si asi no fuese los inconvenientes que resultarian en las Yndias fueran inmensos ó vien contra el Gobierno, ó vien contra el servicio de S. M. ó bien contra los mismos Vasallos unos con otros, y por otras muchas causas.

Supuesto pues, todo lo referido, el regimen que hasta de presente



este Consejo ha tenido, es el que en todos los dias se junta todo el Consejo en la Sala de Gobierno, lo primero de que se dá cuenta son los reales Decretos y si no tienen antecedentes alli se ovedecen y mandan cumplir, y si es materia que contiene reparo, ó tiene antecedentes todo se lleva al Fiscal, y responde.

Dase cuenta tambien en Consejo pleno, de todas las Cartas de continua correspondencia de los Puertos de Andalucia, y de Castilla, por los Navios que llegan á dhos Puertos en los que tiene S. M. Jueces destinados que entienden en esta incumbencia, y estos registran y visitan los dichos Navios y su carga, Gente, y pasajeros que trahen, reciben declaraciones a los Capitanes, Comandantes, ó Maestres de donde vienen, la carga que trahen, á quien pertenece, el estado de los parages, y Puertos de las Ynd<sup>a</sup> de donde salieron, los puertos donde han tocado, el viage que han hecho, el estado y seguridad de los mares, y de lo que alcanzaron á saber de aquellos reynos declarando por decomiso todas las mercaderias frutos ó generos, que no vienen profesados en el registro, y de todo dá cuenta con autos al Consejo donde ó se aprueban ó confirman las diligencias y comisos, ó consultan con S. M. y para los derechos que deben pagar de que se les embian las ordenes.

Vense tambien las Cartas informes, y Consultas de los Tribunales de la Casa de la Contratacion en que tambien es de entender que de los comisos que se hacen en dhos Puertos, resultan pleytos de justicia por que ocurren las partes a quejarse al Consejo donde con el Fiscal de S. M. se substancian las causas en ambas instancias, pero todas las ordenes que se embian a los dhos Puertos por la mayor parte van por Cartas ordenes de Secretaria, y lo mismo á Canarias, si no es que necesiten de Cedula, ó despacho en forma.

Acabada la publicacion de todo lo referido, se da principio al despacho de todos los expedientes que en cada dia el s<sup>r</sup> Secretario lleva en la Bolsa, unos de los que yá el Fiscal tiene respondidos, otros de los que nuevamente se han recibido en los posteriores Cajones de Yndias, y de que al Fiscal no se le ha dado vista ni el Consejo tiene noticia, y empezando el s<sup>r</sup> Secretario antiguo con uno suyo, resuelto aquel, da cuenta la otra Secretaria de otro de los que lleva y asi alternativamente corre el despacho aunque son muchos, y muy frecuentes los que para verse, despacharse y votarse necesitan por su gravedad, ó magnitud de uno, dos, y aun tres dias.

Despachanse y se ven en Sala de Govierno todos los memoriales de

las partes quedando ellos (si estan en España) ó sus Agentes unos son de proveer, otros de consultar, y otros de darse por visto tan solamente.

Consultase en Gobierno todos los Obispados, Prevendas, Plazas, Gobiernos, y Oficios si vien que por justas causas V. M. los ha solido proveer por sus reales Decretos en las personas que han sido de su real agrado esto es en los empleos politicos y militares.

Practicase tambien, que ó vien por el S<sup>r</sup> Presidente ó por el Consejo ó por el Fiscal, ó los Señores Secretarios se reconoce la gravedad de muchos expedientes, y en tal caso es preciso se vean por todos los Ministros en el Consejo Pleno, pero siendo de facil providencia pasa luego el S<sup>r</sup> Presidente á preguntar, lo que hay que despachar en sala de justicia, y si no lo hay como ordinariamente subcede, se quedan todos los Ministros con el S<sup>r</sup> Presidente despachando solo materias de Gobierno.

Muchas veces se avisa por la Escribania de Camara, no haver para la sala de Justicia mas de dos ú tres peticiones ligeras, ó de sub-tanciacion de pleytos, y entonces manda el S<sup>r</sup> Presidente entre el Escribano de Camara y da q<sup>ta</sup> de ellas, porque para proveerlas no tengan que levantarse los Ministros togados, hir á Sala de justicia y volver a entrar en brevisimo tiempo a la Sala de Gobierno, por que en Sala de justicia no tengan mas que despachar, y se esten toda una mañana ociosos, pero aunque se ven con todos los Ministros togados, y de Capa y Espada, tan solamente los proveen, y despachan los Ministros togados.

Pero si hay pleitos, causas criminales, Visitas, ó residencias que ver en Sala de justicia, manda el S<sup>r</sup> Presidente pasen á ella los Ministros togados que señala que ordinariamente suelen ser quatro por que vastan, pasa tambien el Fiscal, si es pleyto ó materia de real Hacienda, causa publica criminalidad visitas, ó residencias pero si es de particulares el pleyto ó pleytos en que el Fiscal no interviene, se queda con el S<sup>r</sup> Presid<sup>te</sup> y demas Ministros, despachando materias de Gobierno en su Sala. Todos los Sabados, entregan los tres relatores al S<sup>r</sup> Presidente una Memoria, de todos los Pleytos causas, residencias, Pleytos fiscales y de partes, y en ellas participan que unos pleytos, ó residencias, estan prontos y en estado de poder verse desde luego, y de otros estarlos viendo, y forman dos memorias con que al tiempo de pasar los togados a Sala de justicia, ordena el S<sup>r</sup> Presidente al antiguo que vá a presidirla los pleytos que han de verse prefiriendolos segun la gravedad y antigüedad de cada uno.

Y como siempre tiene el S<sup>r</sup> Presidente las Memorias de todos los pleytos que estan para verse en sala de justicia si reconoce la gravedad de algunos, está en su abvitrio el hallarse presente a la vista, como puede hacerlo qualquier Presidente, pero por no levantarse para pasar á otra Sala, manda se haga Relacion en la de Gobierno (y esto sucede muy pocas veces) en ella se ven, con todos los Ministros togados y de Capa y Espada como es materia de justicia y pleyto substanciado entre partes, se ve á puerta abierta, presentes las partes, sus Abogados, Agentes y Procuradores, pero solo le votan los togados.

Notorio es que los Pleytos, causas negocios, y materias, tanto de Gobierno como de justicia, que se ven y despachan en el Consejo de las Yndias, no tienen conexion con todo quanto en los Tribunales de la Corte y fuera de ella se conoce y despacha.

En el Consejo de las Yndias y sus salas de Gobierno y Justicia no hay pleitos, sobre subcesion de Mayorazgos ni tenutas, no hay fuerzas, por que en mas de nueve años solo he visto<sup>s</sup> una, no hay pleytos de testamentos ni materias de ultimas voluntades, ni Tutelas, no hay concursos ni pleytos de acrehedores para sustanciarlos, ni graduarlos, no hay contratos, pleytos ni demandas entre partes, sobre arrendamientos de Casas, Tierras, ó raices.

No hay vias executivas, ni vienen á este Consejo por apelacion de las Audiencias, y jueces ordinarios de las Yndias, no hay pleytos sobre Censos, Compras, ni ventas, las causas Criminales todas las sustancian y fenezen en las Yndias, sin que al Consejo vengán en apelacion ninguno, porque allá se executan las sentencias.

Salvo en el caso en que por su Mag<sup>d</sup> ó el Consejo se comete el conocimiento de una causa y se manda que el Juez de Comision ó Audiencia á quien se comete la sustancie y ponga en estado de sentencia para que citadas las partes las remita al Consejo ó que pronuncie sentencia, y oiga las apelaciones para el Consejo.

No porque todo lo referido y todas quantas causas y materias se ven en los Tribunales de España no lo hay en las Yndias, por que todo lo hay, y los mismos pleytos, causas y dependencias, que en estos Tribunales, y muchos mas de los que no hay en estos, que es todo lo tocante á Gobierno, y derechos municipales, y ordenanzas de las Ynd<sup>s</sup> tanto en puntos de Gobierno, como de justicia.

<sup>r</sup> Representación. . . . *cit.*

<sup>s</sup> Conviene advertir que fué el Fiscal del Consejo quien redactó la presente Representación.



Pero todos se sustancian, ven y determinan en aquellas Audiencias, sin que aquellos Vasallos necesiten venir á España, ni a litigar al Consejo, sobre dha calidad de pleytos por que se despoblaran las Yndias, tanto de Yndios como de Españoles, con gran detrimento de aquel Reyno, y notorio perjuicio para su conservacion por lo mucho que sobre ello pudiera decirse.

Y por esto S. M. tiene mandado á este Consejo por leyes, y ordenanzas de diferentes tiempos el que se abstengan de toda especie los pleytos entre partes, y de particulares prohibiendole el que pueda admitirlos, y dá la razon S. M. porq<sup>e</sup> para dha especie de pleytos les tiene S. M. destinadas y pagadas todas las Audiencias y Ministros que hay en las Yndias.

Pero lo que en este Consejo y sala de Justicia de el se veen son las residencias de Virreyes, Presidentes, y de Oidores, y las de Contadores y oficiales de real Hacienda, las residencias de los Gobernadores y Capitanes Generales que son de la provision de S. M. las pesquisas y visitas que se cometen, las segundas suplicaciones, las causas de comisos, y arrivadas quando se reducen á juicio contencioso, las apelaciones de la contratacion de Sevilla que son muy pocas las residencias de Generales, Almirantes Capitanes y Maestres, que solo las hay quando se despachan flotas, y al presente ninguna por que todo va por distintos reglamentos: Tambien tiene S. M. prohibida la abocacion de causas que pasan en las Audiencias de las Yndias si no es en tal qual caso.

Y como de años a esta parte las urgencias de la Monarquia, han sido tantas, que hayan hecho dispensable el beneficio de muchos de los Gobiernos que han sido antes de la eleccion de los virreyes y Capitanes Generales, las residencias de estos, corren y se ven, en aquellas Chancillerias, y solo vienen las que por ley tiene S. M. mandado que vengan al Consejo.

No es dudable fuera muy conveniente el que las residencias todas viniesen al Consejo, y aunque asi debiera ser, se ofrecen luego a la vista grandes atrasos en su remision grandes perjuicios a las partes y el mayor á S. M.

Lo primero; porque las distancias de las Provincias, hasta los Puertos de Mar son grandes, las ocasiones de Aramadas y de avisos muy pocas, y asi fuera muy grande el atraso que tubieran en embiarse; Lo segundo por que a los residenciados les fuera de grande perjuicio por que casi todos los mas, no tienen pronto el Juez de residencia para luego que acave el Gobierno y asi se pasan años enteros sin tomarse.

Lo tercero, por que todos los Corregidores, al tiempo de entrar en los Oficios, dan fianzas para la recaudacion y cobranza de todos los Tributos de S. M. como obligacion que es de Ley, de que resulta, que si todas las residencias ubiesen de venir al Consejo fueran indubitables los atrasos que se le causaran a la real Hacienda con la dilacion de venir, verse, y determinarse y de remitirse las resoluciones, por que por la mayor parte hallara fuera de los Gobiernos y Provincias a los residenciados ó muertos, ellos y sus fiadores, y esto subcede muy de ordinario, aun con aquellas residencias que por ley deben venir al Consejo.

Todas las residencias que vienen de las Yndias, se remiten substanciadas, y determinadas, con que lo que solo hay que hacer es pasarselas al Fiscal, que las reconoce, y si hay puntos en que es preciso hablar, y informar como son cargos de real Hacienda, causa publica ó malos procedimientos del residenciado los apunta en papel reservado para quando llegue el caso de verse por que Alegatos, impedimentos no hay que hacerse, aunque por la mayor parte Governadores y Corregidores de Yndias vienen canonizados y absueltos.

Suelen reservar la determinaz<sup>n</sup> para el Consejo los Jueces de residencia ó ya en el todo de ella, ó sobre algunos cargos, pero esto subcede pocas vezes.

De las mismas residencias suelen tambien resultar puntos de Gobierno y Administracion de real Hacienda en que conviene dar algunas providencias, para la Provincia de donde vienen, sobre lo qual, se lleva á Gobierno por donde se dan y despachan las providencias convenientes.

Como los Pleytos juiciosos contenciosos entre partes sean tan pocos en este Consejo, por no poder admitirse sucede pasar una, tres, y aun mas de quatro semanas, sin que haya que ver, ni despachar en la Sala de Justicia, ni necesidad de que á ella pasen Ministros por cuya causa se mantienen siempre tanto los Togados, como de Capa, y espada con el s<sup>r</sup> Presidente en sala de Gobierno donde jamas falta, ni han faltado negocios, ni expedientes que despachar.

Porque si a pleytos contenciosos y de particulares se diera lugar ademas de despoblarse las Yndias en cada flota y Galeones, Navios sueltos, ó de avisos, dejanse entender los riesgos de las navegaciones quales fueran los Trabajos y gastos que como forasteros tubieran en la Corte, y el que todas aquellas Audiencias fueran inutilles, siendo como son las Murallas, y defensa para las conservacion del Reyno y

fuera menester el aumento de mas Tribunales que hay en toda la Corte y fuera de ella, si aquellos Vasallos ubiesen de venir á pleytear á España, y para esto es menester comprehender lo que son las Yndias, sus Terrenos y Provincias y saber que hay Audiencias que tienen de jurisdiccion y Territorio 600. y 700 leguas, y en ellas tantas Provincias, Gobiernos, Corregimientos y Alcaldias mayores como conocera quien se ubiere aplicado á comprehenderlas.

Tambien ay pleytos de Mercaderes y cargadores de España, la gente de Mar, y de Comercio, pero guardase en ellos muy poca ó ninguna formalidad de juicio por que asi conviene y está prevenido por leyes y ordenanzas de Comercio, ademas de que estos siempre se fenecen en la Casa de la Contratacion ó Consulado de Sevilla.

Para los juicios del Consulado y su incumbencia, nombra en todos los años el sr Presidente del Consejo un Juez de Alzadas que llaman, ó de Apelaciones en aquella Ciudad, y con la sentencia que da este, quedan executoriados y acabados todos los pleytos, por que siendo como son los pleytos del Consulado de Cargadores, y Mercaderes si ubiesen de venir al Consejo, fuera sacarlos de sus Casas, de sus Contratos, y puertos de Mar y Embarcaciones, y contra todas las leyes de la conservacion y aumento de los Comercios, segun y como en toda bien ordenada, y arreglada republica se observa y practica.

Pero aunque muy pocas veces suelen ocurrir al Consejo y Sala de justicia, los tales cargadores y Comerciantes intentando recursos, en tal caso, se mandan traer los Autos y de ellos mismos sin correr traslados en la forma que vienen se veen y determinan, pero si se reconoce manifesto agravio, ó injusticia notoria, se oie, y controvierte, y asi en esto por la mayor parte cada vez que se ocurre es mandarse que ocurra donde toca, si en el recurso y vista de autos, consta estar bien determinados, se debuelven al Consulado para que executen sus sentencias.

Estos son los conocimientos las causas materias y dependencias que se ven y controvierten en la sala de justicia de este Consejo con que es preciso pasar á ver de que se compone, y en lo que entiende y materias que se despachan en la Sala de Gobierno.

Para tocarlas y señalarlas todas, fuera menester formar bolúmenes muy crecidos de quanto en la dha Sala se conoce, se ve y despacha incessantemente, pero algo se dirá que vaste por noticia.

Entiende y despacha Despachos y recibimientos de Armadas en el de los Navios de permission y rexistro que salen de los Puertos de



España y en los que se despachan de Canarias para las Yslas y costas de Barlovento en fabricas y en carenas de Navios, en arribadas de Navios, á Puertos, ó Yslas de Yndias en Comisos, en extrangerias, en el real Patronato, con muchas mas reglas y circunstancias que el que S. M. tiene en estos reynos sin exemplar en ningunos dominios, tanto en Diezmos, en Doctrinas, en mesadas Eclesiasticas en bienes de Difuntos en el Gobierno y reglamento de todas las Audiencias, y de todo quanto se obra en ellas, en todo el Gobierno de la real Hacienda para sus reglam<sup>tos</sup> aumentos, castigo, de abusos y fraudes, en la observacion de sus almonedas, para el conocimiento de su disminucion, ó aumentos en Tributos de Yndios, sobre cuyo punto ay que decir infinito, en quintos diezmos, y veinte avos, de la Plata el oro, y demas metales, en los Almojarifazgos, en las Abaluaciones y aforos, en los oficios vendibles, y renunciables, en los spolios, y todas las Administraciones de las vacantes de los Obispados en los novenos en las fundaciones, en las poblaciones, en las fortificaciones Presidios y municiones en las cuentas de las Maestrias de plata en los pasages de todo genero de personas á Yndias en los Arqueos de los Navios de Armadas de permiso y avisos en las visitas de dhas. Armadas.

En los naufragios y perdidas de Navios, en el Gobierno y reglamento de las Naos de Filipinas en las dotaciones de las plazas de Armas, en Yslas y Tierra firme en los descubrimientos por mar y Tierra, en las conquistas, y pacificaciones, en los reglamentos de las poblaciones, en las composiciones de Tierras y aguas en los descubrimientos y labores de las minas, en la fabrica de moneda y sus casas, en los obrajes, batanes, ochorrillos para fabricas y tegidos en todas aquellas Provincias.

En todo quanto absolutamente mira a los Yndios, a su conservaz<sup>n</sup> á su libertad, sus buenos tratamientos; á su reduccion á Pueblos, á las caxas de bienes, y censos de Yndios, á sus Mitas, y distribuciones para los Minerales á sus Tributos, Tasas, y retasas a las Misiones, y conversaciones de estos, á su servicio personal, a su aplicacion, a las labores del Campo, Yngenios, Trapiches, y Estancias, en todo quanto mira a las encomiendas de Yndios, y pensiones, a las confirmaciones ó caducidades de las dhas Encomiendas en el modo de tratar los Encomenderos, en el reconocimiento de todos los servicios de los veneritos de Yndias, sus sueldos y situados de las Plazas de Yslas, y de Tierra, sin que aqui se toque nada de quanto mira á navegacion.

Sobre cada una de las materias arriba dichas, y las muchas que se

omiten, son tantas las líneas y exempeiones que siempre se ofrecen y ocurren y despachan en la Sala de Gobierno que al parecer fuera imposible el reducir las á número y especies sobre lo qual es de observar si materias y generos de despacho de este Consejo, hay otro Consejo, ó Tribunal en España ó en todos juntos, con el qual pueda cotejarse y compararse.

Para mas comprehension de la formalidad, y genero de despacho de este Consejo, debe irse precisam<sup>te</sup> en la inteligencia de que todos quantos pleitos y juicios se siguen en los Tribunales de España con la sentencia de revista quedan acabados y executoriados, y arrinconados en un oficio donde solo rarísima vez se desembuelben.

Pero en todas las materias que van dichas y que se despachan en la sala de Gobierno del Consejo de las Yndias ninguna queda acabada, ni pueden quedar los expedientes, arrinconados, ni arrimados por que incesantemente es menester volver sobre ellos, y valerse de ellos unas veces para la misma materia que oy ocurre de nuevo, y en vista de las resultas y Zedulas que se han embiado á Yndias por q<sup>e</sup> a los pliegos ó Autos que oy llevan es menester agregarlo todo lo que ha precedido.

Otras para que sirvan de exemplar si conviene para la determinacion de otros expedientes de aquella misma calidad en aquel reyno, ó en otro, ó en aquella Ciudad ó Provincia, ó en otras, y en suma todo absolutamente quanto se vé y despacha en dha Sala de Gobierno queda siempre avierto para valerse de ello, con lo que cada dia nuevamente ocurre, a lo qual se le agregan por antecedentes pap<sup>s</sup> y expedientes que se vieron y despacharon 4-6-10-20-40 y mas años con todas sus respuestas fiscales, Consultas, y resoluciones que en todos los referidos tiempos se han ido tomando.

Como todo el Despacho consiste en Gobierno, no ay forma, ni estrepito de juicio, no se oye a las partes, ni hay traslados, no se admiten ni pueden escripturas, ni alegatos por que todo se reduce a los papeles que vienen y se veen á una respuesta fiscal reservada fundada en todos derechos a una quenta que dá la Secretaria, a una resoluc<sup>n</sup> del Consejo, ó tomada sobre Tabla ó muy estudiada si lo necesita ó a una Consulta y Zedulas que segun sus reales Decretos se despachan con que parece que esto difiere de todos los demas Tribunales.

Por punto y conclusion indubitable, debe saberse que la vasa fundamentable en que consiste el Gobierno, el reglamento la sugeccion y manutencion de todas las Yndias, y la recaudacion, y cobro de la real Hacienda, es lo primero en la frecuencia incesante de este Consejo en

su despacho: Lo segundo en que las resoluciones y providencias se repitan, vayan, y se recivan en las Yndias a lo menos cada quatro meses para cada Reyno como está prefinido.

En el despacho del Consejo en sala de Gobierno consiste el que quando se despachan flotas, ó avisos, ó Navios sueltos, baya muchedumbre de pliegos para todas las Provincias por que importara poco haya muchos caxones de pliegos y despachos en las secretarias, si pasa uno, ó mas años sin que se remitan a las Yndias.

La razon es, por que si un Virrey, un Presidente, un Capitan General, un Gobernador, un Corregidor, unos oficiales reales, una Comunidad, un Prelado, una ciudad un Cavildo, otro qualesquier vasallos consultan informan, proponen, avisan ó dan quenta (por que todos incessantemente lo estan haciendo) y las respuestas con las resoluciones se les retardan para que executar puedan las providencias que se toman en el Consejo, ó que S. M. manda y estas no se las embian, es asimismo indubitable que el Escribano de S. M. y el buen Gobierno de todas las Yndias se atrasa y destruye.

Esto solo podrá negarlo, ó dudar quien no supiere, ni tubiere fixa comprehension de lo que son las Yndias por que no tendrá inteligencia de lo que esencialmente necesita su Gobierno; por que con la retardacion, todo lo que hay en Yndias se atrasa, todo descacee aquellos Ministros, ó Vasallos que escriben ó informan, desmayan en la aplicacion y dejan que todo se corrompa por que de acá no se responde ni mandan lo que han de executar en todas quantas lineas vienen en los Cajones de las Yndias pero esto y mucho mas que se ofrecia no es para el dia presente reducido solo, a lo que es la practica de este Consejo.

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Por que la practica actual, es la que ha ido enseñando el curso de 200 años en que parece no queda que adelantar, y la que este Consejo tiene es en la forma siguiente.

Todos los dias a la salida del Consejo, los dos Agentes fiscales, concurren cada uno en la Secretaria de su negociacion y a cada uno se le entregan 4-6-10-15 ó mas expedientes del Reyno ó Provincias de su incunvencia, y de cada uno firman conocimiento y recivo con toda distincion de papeles en los libros de Secretaria llevanselos a la tarde al Fiscal, que con dhos sus Agentes los va viendo, y en casi todos los mas (por que son de distintas materias, Tierras y Provincias) separa-



damente forma extracto por escrito responde, funda y concluye con su parecer.

Unos de dhos Expedientes despacha el Fiscal, ó todos en una tarde y parte de la noche, con otros se queda, por que necesitan estudios y ver los libros para despacharlos vuelven los despachados a las Secretarias en los siguientes dias donde vuelven a recibir dhos Agentes otros tantos, ó mas, ó menos, y borran los conocimientos de todos los que vuelven.

De todos los despachados empiezan los Secretarios á dar cuenta en el Consejo desde luego, se ven y determinan en la forma arriba dicha estos son los pasos que tiene el despacho de este Consejo, y se hace visible el atraso que el servicio de S. M. y Gobierno de las Yndias, tubieran variedad la forma por que fuera poquisimo lo que pudiera despacharse.

Por que los expedientes diarios de la Sala de Gobierno, son innumerables y si estos se ubiesen de repartir entre todos los Ministros para que como exponentes hiciesen extracto y diesen cuenta en el Consejo cada uno; tubiera en su casa un Archivo de papeles y expedtes para irles formando extractos, y como en Sala de Gobierno de Yndias, nunca se presentan ni admiten Escrituras, ni instrumentos ni alegatos de las partes, por que con solos los papeles que vienen de las Yndias, y los antecedentes que les agrega la Secretaria, y con la respuesta fiscal, se vén, resuelven y despachan, parece que variada esta forma, consiguientemente lo fuera la practica de 200 años con el despacho y conveniente Gobierno de las Yndias.

Signifierase otro no menor inconveniente, por que repartidos en muchas manos los expedientes y negocios de Gobierno careciera el Fiscal de todas las noticias que siempre debe tener muy presentes, del estado de las Yndias, y todas las materias de su Gobierno en todas lineas por que no pudiera hacerse capaz de los instrumentos y papeles q<sup>e</sup> vienen, ni en ninguno de los Ministros hubiera este reglamento y encadenamiento que tanto importa de noticias, y si despues de los Ministros, hubiese de verlo el Fiscal se viene a los ojos luego quanto fuera el atraso que en el despacho hubiera.

Tan importante y conveniente es lo referido, que por ello está, dispuesto que siempre hayan de traherse de las dos Chancillerias de Lima y Mexico dos Ministros de aprobado parecer é inteligencia, los cuales se graduan en las dos Chancillerias de Valladolid y Granada de donde en breve se han de traer al Consejo, por que no todo se halla en

los Libros, y para muchisimo conviene el informe, noticias, y explicacion con la viva voz, y quien entendiere lo contrario venga a la prueba y preguntas de la calidad de las materias de las Yndias de su Gobierno, y Estado.

El punto del sigilo grande que debe haver, y se observa en todo quanto se despacha en Gobierno es tan conveniente, que si asi no fuese, peligraria todo el Gobierno de las Yndias, por que si un Virrey informa, un Gobernador, un Corregidor, una Audiencia, unos oficiales reales (que todos y quantos vasallos hay en aquellos Reynos lo hacen en secreto) ó vien para providencias que proponen, ó piden ó vien para informes que hacen en todas quantas materias pueden ofrecerse, si estas andubieran en lo publico, y en muchas manos se aventurara un todo de aquel Gobierno.

Si una Audiencia se quexara contra un Virrey, si un Arzobispo, ú Obispo informara contra Ministros, si unos Vasallos dieran quenta y queja de los agravios que se les hacian de los malos procedimientos de los Ministros de lá real Hacienda, y asi todo lo demas, y esto huviese de andar en lo publico y correr por muchas manos, que perjuicios que crueldades, que tiranias y que daños no resultaran en las Yndias si allá supieran la mano por donde se suministravan las noticias, que inquietudes en aquellas Provincias no huviera, y se seguirian y asi siempre ha convenido y importa el que primero se executen las ordenes, Cédulas, despachos, y providencias en las Yndias, que las partes, sus Agentes, ó dependientes lo lleguen á entender en España, porque por quantos medios pueden, siempre se estan ingeniando para poder saberlo.

Es tan exencial el referido secreto, que por ordenanzas tiene S. M. mandado que todo lo escriban los señores secretarios de su misma mano, y las resoluciones del Consejo, sin fiarlas de nadie ni embiarlas para firmarlas a las Casas de los Ministros por que las partes no tengan noticia, tanto en lo de Gobierno, como en lo de gracia siendo secreto.

En la Sala de Justicia por la mayor parte el secreto no peligra ni el atraso de quanto en ellas se despacha (que no es mucho lo que hay) por que todo quanto en ella se ve y despacha, todo es publico, y contencioso de parte á parte, aunque sean negocios fiscales, como son pleytos de real Hacienda Criminalidades y materias de causa publica con las residencias, pues aunque está determinado las que deben remitirse al Consejo, tambien ay algunas (aunque pocas y señaladas)

las que se componen de 6.9 ú 10. fojas en que a tarde y mañana es menester se vean en dha sala meses enteros, y todo un verano pero estas como va dicho, son muy pocas y casi siempre las de los Gobernadores de Filipinas.

Quando vienen los pleytos contenciosos entre partes, no haviendo interes fiscal, se necesita que las partes los muevan, y esto no lo hacen muchos, ó por la pobreza, ó por las distancias de aquellos á estos Reynos donde si alguna de las partes lo mueve, es menester embiarles emplazamientos a las otras que estan en las Yndias q<sup>e</sup> tardaran en venir tres y aun quatro años.

Tampoco puedo dejar de decir—sigue el fiscal—por haverlo tocado y experimentado en mas de los nueve años que he despachado la Fiscalia, el que para este Consejo, y su conveniente despacho, se necesita de dos Fiscales uno de continua asistencia, sin que falte de la sala de Gobierno otro para la sala de justicia, dos ha havido en diferentes tiempos, pero ha sido por la muchedumbre de los despachos, pero a mi ver y por lo que alcanzo no es esta la causa fundamental por que con uno si trabaja y aplica como debe, es muy vastante.

La causa que yo hallo, y he experimentado, es por que si el Fiscal está asistiendo en la sala de Gobierno, y tiene que hablar, ó que informar sobre los exped<sup>tes</sup> que se estan viendo en ella, y se le manda llamar de la sala de Justicia, para alguna residencia ó dependencia fiscal es preciso que ha de faltar de la Sala de Gobierno por que la asistencia en dos salas separadas no es dable, ni compatible y asi haviendo de pasar á justicia faltara en Gobierno, y se ven todos aquellos despachos en que pudiera hablar, ó informar, sin su asistencia, y sin que sepa las resoluciones y determinaciones de cada uno de los expedientes por que estas no se notifican, pero estando presente, observa si es materia de suplicar, y volver á representar al Consejo sobre lo que ya tiene dicho, y se ha votado, pero si no pasa a la sala de justicia el pleyto, ó Causa Fiscal, que con su asistencia debe verse, se suspendiera, y si se viese sin el Fiscal fuera con una nulidad notoria, . . .

Una de las primeras obligaciones, y exculpulos de los Tribunales es el breve despacho p<sup>a</sup> que los pleytos no se retarden, ni atrasen, evitando las vejaciones y gastos a los pobres partes teniendolas fuera de sus Casas y tierras.

Muy poco ó nada de esto hay en el Consejo de las Yndias en q<sup>e</sup> poder detenerse, por que todos quantos pleytos tienen los Vasallos de las Yndias en las once Audiencias que hay en ellas, se siguen fenecen y



acavan sin tener que venir á este Consejo si no es en los muy pocos casos de recursos ó segundas suplicaciones que ocurren raras veces, y así siempre se hallará que en las antecámaras del Consejo y Casas de los jueces son muy pocos los que asisten con el motivo de pleytos para que los despachen y que los mas que ocurren son los dependientes de plazas, oficios, ó empleos que han de consultarse para que los atiendan y estos son por la mayor parte Parientes, ó Agentes que tienen de pie fixo sus Casas en la Corte viven, y pasan de estas correspondencias, ó Agencias con los Vasallos de Yndias.

En todos los Tribunales y Consejos, son separables todas las materias, y negocios que se tratan en ellos y cada una puede tener Archivo, ó Estante independiente de las demas, por que todos los pleytos de Tenutas y de Mayorazgos pueden estar juntos, todos los pleytos de contratos lo mismo, las vias executivas, las ultimas voluntades todo lo criminal, por q<sup>e</sup> todo tiene comoda division para poderse ver y despachar en salas y en dias señalados, por que los pleytos de mayorazgos no tienen conexion, ni dependencia con las fuerzas, ni las fuerzas, con los contratos y así todos los demas por q<sup>e</sup> cada una de dichas materias y calidad de negocios y pleytos en una vien ordenada scribania de Camara ó Secretaria anda siempre separado.

Todos los referidos pleytos consisten en un punto, por que el que pretende tocarle por haver llegado el caso de su llamamiento no litiga sobre otra cosa el que pretende la subsistencia de un Contrato lo mismo; Lo mismo el que pretende la nulidad de un Testamento. Y así todo lo demas de suerte que para la justificacion de sus derechos, cada una de las partes presenta sus escrituras instrumentos y alegatos, hace su prueba y le sigue por uno, dos, ó mas años.

Pero en el Consejo de las Yndias en Sala de Gobierno nada de esto corre por que vajo de una Carta de Guia sola ó con papeles de un Testimonio, de un Proceso informativo ó de unos Autos que vienen de Yndias casi siempre vienen mezcladas y embueltas en cada uno 3. ó 4. ó mas materias de las peculiares de que conoce este Consejo, y vajo de un expediente se hallan Gobierno Criminalidad intereses de S. M. materias Eclesiasticas de Guerra poblaciones Tributos, quantas Conquistas, agravios, y todo quanto de las Yndias viene.

Estando pues en un expediente mismo incluida, variedad de puntos, especies y materias, no tienen comoda division para poderles á cada materia señalar dias ni mas sala que la de Gobierno por que al tiempo de que al Consejo se le dá quenta de una, es preciso que se le dé de

todas las que el expediente incluye por lo inseparables que son aunque sobre cada punto de los que el expediente contiene se toma la resoluc<sup>n</sup> que le comprehende y solo está en el Fiscal el Trabajo y en la Secretaria si hay ó resultan pluralidad de despachos y de Zedulas y en el Fiscal por que en sola una respuesta a de dar cuenta de todos los referidos puntos fundandose en derechos leyes, y ordenanzas de Gobierno, todo por escrito, ninguno de los demas Tribunales despacha en esta forma.

Estando pues tan identificado y unidas las materias en un solo expediente, no es dable el que un señor Secretario empezase la relacion en un dia sobre un punto de los que el expediente incluye y el que dejase para otros todos los demas puntos que en el se comprehenden por que si asi fuese el atraso del despacho fuera incomparable y los perjuicios de S. M. incomprehensibles y si no escusense discursos y pasese al acto practico en que un Señor Secretario empieze una respuesta fiscal de un expediente que contiene variedad de especies, y resulta una, suspendase la relacion para otro dia, ó para otra sala, estando dependientes y exlabonadas las unas y las otras y se hallará el laverinto que produce.

Toda quanta real Hacienda S. M. tiene en las Yndias está bajo de la superioridad de los Virreyes, á eso son embiados á cada reyno pero el manejo, la recaudacion y Administracion especial de cada Provincia, Puerto Ciudad, Mineraje, Ysla, ó Asiento, corre por cuenta de Oficiales reales.

Sin que Virreyes, Audiencias, Presidentes, y demas justicias intervengan en ello sobre todo vela, entiende, y gobierna el Consejo de las Yndias atendiendo a su legal administracion a los aumentos q<sup>e</sup> puede hir teniendo a los descaecimientos que por culpa ó omision ó fraude se le causan a la recaudacion de sus atrasados debitos, y a todo lo demas tocante á ella por que todo lo ve por las quantas, por los tanteos, por los informes, por las quiebras, por las Consultas, y por la mucha variedad de expedientes que en cada ocasion vienen.

Pero sin embargo, y con todo lo referido, jamas ha sido capaz este Consejo, ni lo es de poder librar por si un solo real en toda quanta real Hacienda hai en las Yndias por urgentisimas que sean las causas que ocurren por que si vienen las partes, ó las de Virreyes, Audiencias, Gobernadores, ó justicias y en el Consejo, se ven sus expedientes, Consultas, ó informes para gastos de Misiones de fortificaciones ó pagamentos que se pretendan de la real Hacienda, con lo que el Fiscal

responde, consulta el Consejo á S. M. informandole si hay justificacion, ó no para lo que se pide, ó para que se obre, ó la providencia que podrá tomarse, y S. M. resuelve lo que es de su real agrado de forma que aun para librar 20- ó 30 Ducados en real Hacienda de Yndias, ora para lo referido, ó para otra qualquier cosa siempre precede Consulta á S. M.

El regimen de toda la real Hacienda de Yndias, consiste en reglas leyes y ordenanzas muy distintas de las que tiene la Administracion de toda la real Haz<sup>da</sup> de España, por que mediante los informes y Consultas que de las Yndias se fueron embiando desde los principios se les fueron remitiendo de España las referidas leyes practicas y ordenanzas proporcionadas a las Provincias, unas generales, especiales otras, porque no en todas son unos mismos los ramos de la real Hacienda, los frutos que producen, ni los Tributos q<sup>e</sup> se pagan, ni la cota de ellos, ni la calidad y especies en que contribuyen y asi es mucha la distincion de un reyno á otro, y de unas á otras Provincias.

Para esta Administracion en cada Provincia Asiento, ó Mineraje, Ysla ó Puerto hay tres ú quatro oficiales reales que antes de entrar en el exercicio dan fianzas y se obligan á renovarlas en cada diez años por disposicion de ley.

Tampoco son capaces todas las Audiencias de las Yndias de poder librar un real en toda aquella real Hacienda, por la absoluta prohibicion con que se hallan ademas de que por aquellos oficiales reales no fueran obedecidos.

En tanta manera que aunq<sup>e</sup> los Virreyes lleven a los Acuerdos materias de real Hacienda ó para poder librar en ella, con qualquier pretexto, no pueden los oydores, ni por voto consultivo, ni decisivo darle dictamen ni parecer sobre ello por que es cargo de Ley, y culpa contra ellos cada que se les justificara ó se entendiera.

Y asi para todo quanto toca a real Hacienda, tiene S. M. por leyes, señalados los Ministros de que la Junta ha de componerse y aqui entra la sujeccion, la subordinacion ó adulacion para condescender a lo que Virreyes, Presidentes, Capitanes Generales, y Gobernadores quieren, ó por el poco espiritu, ó temor (que es lo mas ordinario que hay por la mayor parte) para contradecirles y oponerse:

Por que si el Virrey ó los demas por si librarán en real Hacienda que está en manos de oficiales reales a la junta de Hacienda como a los oficiales reales les es permitida la replica y contradiccion hasta tres veces.



Hacen ante si los Oficiales reales todos los Arrendamientos de quanto es arrendable, ó vendible en cada Provincia perteneciente á real Hacienda con tal independencia de las Audiencias ante ellos se hacen las Almonedas de las especies ó rentas con asistencia de un fiscal y un Oidor del territorio, y los remates se afianzan, y aunque por la estrechez de estos tiempos han venido a la Corte á hacerse algunos arrendamientos ó Asientos ninguno de estos (que han sido muy pocos) han comparecido ni lo han intentado en el Consejo por que en el, ni fueran oidos, ni admitidos, y se les mandará á todos que ocurriesen a los oficiales reales de la Provincia.

Pero si por lo referido, y el pronto desembolso que han ofrecido y hecho han sido admitidos los pocos que se han dicho han sido por que todos han ocurrido en derecho á S. M. con sus Memoriales y pliegos a los quales S. M. ha sido servido mandarles pasar á los ajustes por la mano que ha sido de su real agrado, con que en lo que unicamente el Consejo ha intervenido en este punto ha sido vajar los reales Decretos con aprovacion de los Asientos obedecerlos y mandar dar los despachos ó recudimientos.

La distancia que hay entre la real Hacienda de Yndias, y la de España, es notoria, como la calidad de cada una, y ramos y efectos de que se compone, y asi es preciso tambien que con distintas reglas, leyes, y ordenanzas proporcionadas a los Territorios se administre, hace—lo mas claro—una breve descripcion por mayor de lo que es la real Hacienda en el Reyno del Perú, y lo que aquellos Oficiales reales administran.

En primer lugar, los quintos de toda la Plata, el oro, y demas metales, que en unas partes es al quinto riguroso en todo el Perú y Costas de Guatemala en Nueva España, punto en que se ofrecia mucho: El derecho de uno y medio por ciento que llaman de Cobos, sobre el qual tambien ha havido y hai diferentes pretensiones, teniendo por violento y atendiendo á su primer origen é introduccion. El derecho del Senoreaje en toda la Plata, y oro las haverias en las barras; Los Minas de la Corona: Los Naypes; Los Almojarifazgos: Los Comisos de plata: Oro, frutos y ropas, tanto de Castilla, como de China: Los Mostrencos: Los novenos pertenecientes á S. M. Los Caudales de Cruzada; las Mesadas Ecclesiasticas, las medias annatas; Los Azogues: los Thesoros; las Guacas: los beneros: las presas: las Alcabalas; y union de Armas: los oficios vendibles; sus tercios y mitades; las Encomiendas y Tributos vacos: las Encomiendas de la

Corona sus huecos las penas de Camara; las Encomiendas Caducas: las pulperias; los Cientos de Viñas: los Yanaconas los alitres [sic]; las lanas de Vicuña; las droguerías medicinales y otros efectos.

Por lo que toca á Tierras y sus composiciones, está prevenido por tres ordenanzas que esto aya de correr al cuidado y incumbencia de uno de los Señores Ministros del Consejo, y lo mismo la cobranza de las condenaciones, para lo qual en cada vacante se nombran por el Sr Presidente, y S. M. lo aprueba y despacha el titulo cuya jurisdiccion y incumbencia subdelega dho Sr Ministro en los Oidores de su aprovacion para q<sup>e</sup> cada uno la exerza en el territorio de sus Audiencias, y estos son los que hacen en Yndias las composiciones, recaudan los caudales los entran en Arcas y bienen por cuenta aparte en las mismas Cartas cuentas a la Theosoreria del Consejo, que con toda la demas real Hacienda pone en manos de S. M.

Por lo tocante á condenaciones que resultan de residencias, causas, pesquisas, ú otros expedientes se le participa a dicho Señor Ministro por la Escrivania de Camara, cada que se impone en justicia ó Gobierno quien remite los despachos á los Ministros subdelegados de Yndias, y si se ofrece hacer algunos Autos, ó pedimentos sobre las sujetas materias, uno de los Agentes fiscales hace los dhos pedimentos, y sigue los Autos ante dho Señor Juez de Tierras ó condenaciones y cobranzas.

De todos los ramos arriva referidos, son arrendables las Alcavalas, los Almojarifazgos, la Nieve, los Naypes, la polbora y en Nueva España el pulque por q<sup>e</sup> todo lo demas no es capaz de arrendamiento, ni lo fuera v. g. los Tributos de toda una Provincia, Porque si este año se hiciese una numeracion de Yndios en una Provincia y se hallasen treinta, ú quarenta mil al tiempo de cobrar los Tributos, pueden faltar los ocho, los diez, y los doce mil de toda la dha Provincia, unos por muertos, otros por ocultos, otros por que se han ido a los Montes, otros por que los relevan Corregidores que se sirven de ellos, y los ocupan en sus Tratos y grangerias, y otros por los Curas, y los mas por que se salen de sus Casas y Tierras y se pasan a otras Provincias muy remotas tanto por escusarse de los Tributos como de las Mitas para las Minas, por que dhas Provincias son libres, y asi casi en todo lo demas, y por esto piden y se mandan hacer tasas y retasas á tiempos como cave que esto sea capaz del Arrendamiento en tanta inmensidad de Provincias ni que un Arrendador fuese capaz á tener reducidos y quietos en una Provincia cinquenta ú sesenta mil Yndios para recaudarles el Tributo, y asi por relevarlos de las vexaciones de los en-

comenderos despues de grandes Consultas de Theologos, ó Canonistas, vino á obrarse por mas seguras y menos escrupuloso el que los encomenderos, no les cobrasen los Tributos sino sus Caciques y Justicias entrandolos en Arcas desde donde este ramo de Hacienda se distribuye en lo que está dispuesto, y como no es esta respuesta para decir quanto sobre este y cada punto se ofrecia solo se limita á dar alguna luz.

Son obligados los oficiales reales de todas las Provincias, Puertos Yslas, Asientos de cada reyno á remitir anualmente las Cartas quantas de la real Hacienda que es de su cargo a los Tribunales de quantas con todos los recados originales de cargo y data, y alli se fenecen, ó vien por que vayan corrientes, ó bien por que sea necesario formar juicios sobre alcances, ó las glosas, y todo lo demas que produce una quenta, en cuyos casos, y para ello hay sala determinada, con asistencia de Ministros togados y el Fiscal que en brevemente concluyen los juicios.

Por que si sobre estos pleytos hubiesen de venir á España los oficiales y las partes a litigar en el Consejo, que atrasos, y que perdidas no padeceria la real Hacienda por breve que en el Consejo se despachasen quando si es alcance liquido, incontinenti y sin embargo de apelacion se despachan los apremios.

Tres son los Tribunales de quantas que hay en las Yndias donde todos los Oficiales reales remiten las Cartas quantas de sus Provincias, y Caxas, el uno es Mexico, Capital y residencia del Virrey de Nueva España, el segundo en Lima Caveza del reyno del Peru y sus Provincias, el tercero es Santa fe donde reside un Presidente y Aud<sup>a</sup> Pretoreal independiente de Virrey á donde remiten todos los Oficiales del reyno de Tierra firme y del nuevo reyno de Granada.

La real Hacienda de todas las Yslas Filipinas, modo de Tributar y especies es distinta tambien de la del Peru, y Nueva España cuyas Cartas quantas y tanteos siempre se remiten al Consejo y su Contaduria donde se practica todo lo demas para su reconocimiento, en esto consiste toda la real Hacienda de las Yndias.

Todos los Caudales que producen todas las Provincias y sus Caxas los remiten oficiales reales del Reyno de Nueva España a Mexico donde el Virrey reside estan las Caxas reales y Tribunal de quantas y a Veracruz, todos los que producen las Caxas del Reyno del Peru, se remiten á Lima todos los que producen las Caxas del Reyno de



Tierra firme y Provincia del nuevo Reyno de Granada, al Tribunal de quantas y oficiales reales de Santa Fé.

Los Caudales de Mexico vienen en flotas, los del Reyno del Perú vajan desde Lima, y el Callado á Panamá donde se entregan, y estos y los que produce el reyno de Tierra firme se embarcan en Portovelo en los Galeones, al cuidado de Generales y Maestres todo el que produce Santa Fé, Nuevo reyno, y sus Provincias la reciben y se embarcan quando acavada la feria en Portovelo, buelben á tocar alli los Galeones, siendo de advertir que todos los dichos Caudales vienen siempre con distincion de las Provincias y ramos de que produce cada partida.

Acostumbra tambien librar su Magestad gruesas Cantidades en Cajas reales de las Yndias que se sirve señalar para pago de Acreedores de la real Hacienda, bueno para Virreyes, sus secretarios, y dependientes, y bueno para Oficiales reales, pero perjuicio de S. M. y del libranza pero no es del dia.

Luego que dan fondo las armadas, ó Navios, suele tambien librar S. M. a la lumbre del agua, conq<sup>e</sup> pocos Caudales vienen á Madrid, y en caso que viniesen en ellos no es capaz el Consejo de advitriar ni librar en un solo real, aunque sea de sus propios caudales de salarios, pues para percivirlos, consulta y pide licencia, lo segundo por que dados fondos los Navios, y aun antes tanto Generales, como Diputados y Maestres embian las Cartas quantas de quantos caudales traen á S. M. en derechura y si vienen á parar al Consejo los pliegos de dhas Cartas quantas incontinentemente sobre Tabla se forma Consulta y ponen originales en manos de S. M. que vé y le consta todo lo que viene.

Embianse con dichos Caudales todas las Cartas quantas de todas las Caxas y Provincias con las relaciones ó tanteos de cada una, pero sin recados de cargo y Data, ni demas papeles, ponense estas en la Contaduria donde se reven y de donde el Fiscal las va pidiendo para su reconocimiento y correspondiencia que tienen con los papeles informes, Autos, Consultas, ó procesos que paran en las Secretarias y segun lo que resulta forma sus pedimentos, y segun ellos se toman las providencias por el Consejo y remiten las Cédulas.

La razon de no embiarse con las relaciones y tanteos, los demas recados de cargo y Data, y papeles que se le agregan, es por que todos los Oficiales reales anualmente embian a los Tribunales de quantas todos los dichos papeles, y si huviesen de venir á España cargos, y Datas con papeles agregados ó havian de ser por Copias ó originales,

Si por Copias fuera menester criar un exercito de Oficiales quando en Mexico, y en otras Cajas son tantas las representaciones de no poder dar aviso al fenecimiento de las quantas por el corto numero de oficiales (y en algunas es con razon) lo segundo el gravamen que en esto tubiera, y lo peor el atraso en su remision por que como cave que de año á año que se ofrezca una falta puedan estar compulsadas todas las Cartas quantas de la Nueva España, y lo mismo las del Reyno del Peru con el curso regular de los Galeones.

Y si originales, desde luego está a la vista el riesgo a que vinieran expuestas de perderse en un Naufragio, mojarse y corromperse como ya se ha visto para que aquellos Tribunales quedasen sin luz de toda la real Hacienda y lo mismo los oficiales reales para el Gobierno de ella en tantas Provincias, y para las cobranzas.

Tiene S. M. en toda la America sus Costas y fronteras muchos Presidios y Plazas de Armas y una Armada para la costa y resguardo de las Yslas, y Costas de Varlovento y remision que de Mexico hacen de los situados, todo lo qual es tocante á Guerra.

Para ello y sus providencias y para el conocimiento de las Causas Militares tiene S. M. formada por leyes y ordenanzas una Junta especial que componen el Señor Presidente de este Consejo quatro Señores Ministros de Guerra que á el vienen, y otros quatro los mas antiguos de este Consejo en la qual todos los Martes, y Jueves despacha la dha Junta en Gobierno y Justicia todo lo tocante a Guerra, presidela el s<sup>r</sup> Presidente y se hace en la sala de Govierno.

Como solo han de quedar con el s<sup>r</sup> Presidente los quatro antiguos del Consejo sin distinguir profesion de Togados, ó de Capa y Espada todos los demas Ministros se salen y pasan a la Sala de Justicia donde si hay que despachar tocante á Justicia continuan la ora, y si no se estan ociosos aunque acontece que por despacharse en breve en la Junta de Guerra buelben á entrar a despachar en Gobierno, si por enfermedad ó ausencia del s<sup>r</sup> Presidente asistir no puede se hace y despacha lo que toca á Junta, en la Sala de justicia, y en ella Preside y tiene la Campanilla el señor Ministro de Guerra mas antiguo con que pasando solos quatro antiguos del Consejo todos los demas quedan con el Señor Decano en Sala de Gobierno despachando.

La incumbencia de la Casa de la Contratacion y Consulado es de entender en los negocios, y materias de Comercio, en los despachos, y aprestos de las flotas, Galeones, Avisos, registros, y Navios que llaman de permission sobre cuyas materias, biene muy poco al Consejo y

siempre por Gobierno donde por Cartas ordenes se les van participando las resoluciones, ó de S. M. ó del Consejo por aquellas oficinas se hacen los entregos de las provisiones, Municiones peltrechos y demas concernientes, alla se finaliza todo, y de torna viage se toman las quantas y cobran los alcances.

Por lo que mira a las navegaciones y despachos de Armadas por hoy estan en manos de S. M. respuestas fiscales y Consultas de este Consejo donde solo vienen de buelta del viage las residencias de los Generales, y Almirantes de flotas y Galeones que se ven, substancian y determinan como todas las demas causas de Justicia.

Esta es—concluye esta parte de la Representación—una corta descripcion de la incumbencia del Consejo de las Yndias, lo que gobierna, la forma, y modo con que lo gobierna y despacha. . . .

Hasta aquí los párrafos del documento de 1714 que directamente nos interesan en la hora presente, por ser los que inmediatamente hacen referencia al objeto y título de este trabajo. En ellos no pueden estar mejor ni más puntualmente descritas la organización, competencia y funciones de las dos salas de Gobierno y de Justicia en que el Consejo estaba dividido. Dentro del estrecho marco de un memorial, encontramos expuestas sistematicamente, con gran orden y método, precisamente por sus más autorizados testigos, la complejas y múltiples “incumbencias” del Real y Supremo Consejo de las Indias, cuyas funciones, por otra parte, participaban de una naturaleza un tanto heterogénea, por cuanto que en torno a él venía a resumir las funciones parciales que en España corrían distribuidas por distintas secretarías. Huelgan, pues, toda clase de comentarios a la vista del texto transcrito, ya que la claridad y precisión que revela es más que suficiente para colmar la curiosidad del lector interesado.

Solo, a modo de apéndice, incluimos a continuación, como antes advertíamos, una relación de los secretarios que tuvo el Consejo de Indias desde los comienzos de la colonización (1492), empezando por Juan de Coloma, hasta fines del siglo XVIII (1793), por estimarla de gran valor desde un punto



de vista cronológico-histórico. Esta relación, que no tiene firma, se halla incluída en la Miscelánea de D. Manuel José de Ayala.

JUAN MANZANO.<sup>9</sup>

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#### APENDICE

CATALOGO de los Secretarios que ha havido en el Consejo de Indias, desde el tiempo de la conquista, ó descubrimiento del nuevo mundo, hasta el año de 1793. dando principio por Juan Coloma, que lo era de la Reyna D<sup>a</sup> Isabel, ante el qual se hicieron varios contratos, en virtud de la propuesta de Christoval Colon, qe le fue admitida, para poner en practica aquella empresa.

Haviendo pasado á nuestra Peninsula Cristoval Colon despues de varias contradiciones fue admitida su propuesta de ir á descubrir nuevas tierras, y teniendose con él varios contratos, en los quales hizo de Secretario Juan Coloma que lo era de la Reyna Catolica d<sup>a</sup> Isabel año de 1492 debemos á esta epoca, y con este sujeto empezar á contar los Secretarios del Supremo Consejo de las Yndias.

Este Tribunal que segun los mas clasicos autores (pues no se encuentran testimonios ó documentos fidedignos) tuvo varias formas, hasta que, segun se refiere, en lo de Agosto de 1524 el Emperador Carlos V le consolidó con el nombre de Consejo de las Yndias, con entera separacion del de Castilla: tubo un solo Secretario.

En las Ordenanzas del Consejo del año de 1542 no se habla mas que de un Secretario que era Juan de Ybarra Samano.

Por R<sup>l</sup> Cedula de 5 de Mayo de 1597 se mandó extinguir el oficio de Eseribano de Camara y Gobierno, y que su exercicio se aplicase al de Secretario que obtenia Juan de Samano: Que dho Ybarra pudiese asistir al Conso á la hora y forma que los demas Ministros: Que tubiese voto consultivo en todos los negocios que no fueren de Pleytos entre partes: Que su oficial mayor siendo de satisfaccion de S. M. pudiese entrar en el Consejo á leer peticion: Que las Consultas las hiciese Ybarra y las remitiese á S. M. quien las bolveria respondidas al Presidente.

Por otra Cedula de 25 de Agosto de 1600 en que se creó el Tribunal de la Camara, se concedió voto en ella al mismo Ybarra.

Por otra Cedula de 31 de Diciembre de 1604 fué promovido el enunciado Ybarra á Plaza del Consejo y Camara, y se ordenó que hubiese quatro Secretarios y un Eseribano de Camara: Que dichos quatro Secretarios havian de asistir, dos en el Consejo, y dos en la Camara: Que su asiento fuese despues del

<sup>9</sup> Dr. Juan Manzano, who has studied under Professor Altamira, is a professor of the history of the political and civil institutions of America in the Central University of Madrid. He studied in the University of Seville, where he was made licentiate of law, philosophy, and letters (history section) in 1931. Later he went to the University of Madrid to study for the doctorate.

Fiscal que havia de preceder á todos quatro Secretos: Que á uno de los del Consejo le pertenecian todos los negocios y materias de gobierno, Guerra, Hacienda, y otros qualesqui\* que no fuesen pleytos de Justicia entre partes, visitas y residencias de todos los Reynos del Perú, Chile, tierra firme y Nuevo Rno de Granada: Y al otro todo lo perteneciente á las Provincias de Nueva España, é Ysla Española: Que todos los comunes y neutrales (esto es el negociado indiferente) corriese por el Secretario mas antiguo de Govierno, y lo mismo en los de la Camara, asi en quanto á los nombrados entonces, como los que en adelante se nombraren.

Que á cargo de los dos Secretos de la Camara, havian de estar todos los negocios tocantes á materias Eccas y Seculares qe se trataren en ella, dividiendose entre los dos por Provincias en la misma forma qe los Secretarios de Govno del Consejo.

Por Rl Cedula de S. M. dada en 16 de Marzo de 1609 se mandó entre otras cosas, extinguir la Camara, y que los quatro Secretarios se redujesen á dos, conforme fuesen vacando, por muerte, promocion, ó jubilacion, de los Secretos, de manera, qe vacando la una de las dos Secretarias de Govierno ó Camara del Perú, se agregase á la otra de aquellas Provincias; y lo mismo en las de Nueva España. Que interin se unian dichas Secretarias, los Secretarios de la Camara sirviesen sus oficios en el Consejo, hallandose en el solamte á las materias qe les tocava y no mas; para lo qual el Presidente havia de señalar una dia fixo en cada semana para tratar de dichas materias.

Con motivo de haverse restablecido la Camara en el año de 1644 mandó S. M. por su Rl Decreto de 4 de Mayo del mismo año, que los Señores Secretarios del Consejo exerciesen sus oficios tambien en la Camara, para lo qual se les expedia Cedula.

Por el Reglamto expedido al Consejo de Castilla en 10 de Nove de 1713 mandado observar en este de Yndias por Rl Decreto de la misma fha, se previene que los Señores Secretos tengan el asiento, los honores y la representacion igual en todo á la de los mismos Ministros del Tribunal en que residen, con sola la prevencion de haver de ser siempre los ultimos.

Y en Rl Decreto de 6 de Junio de 1776 se mandó fixar en la Secretaria del Perú el Negociado de Yndiferente.

#### CATALOGO DE LOS SEÑORES SECRETARIOS

De estos primeros Señores Secretarios no se encuentran dictados ni Nombramiento, ni mas razon que la que nos dá el Coronista Antonio de Herrera, y las refrendatas suyas en las Cedulas.

Juan Coloma. Fué el primero que por los años de 1492 intervino como Secreto de la Reyna da Ysabel, y de su orn en las Capitulaciones y Despachos que se dieron á dn Cristoval Colon.

Miguel Perez de Almazan. Gaspar de Gricio. El Comendador Lope de Conchillos. Fué nombrado por Secreto de S. M. en los Negocios de Yndias por muerte de Gricio año de 1507.

Francisco de los Covos. Se le nombró en 1517 para suceder á Conchillos que dejó la Corte y se retiró á Toledo.

Juan de Samano. Empiezan sus refrendatas en 1531 y acavan en 1544.

Francisco de Eraso. Antonio de Eraso. Juan de Ybarra. En 24 de Agosto de 1549 por muerte de Samano. No se save hasta quando lo fué pues en 16 de Enero de 1556 autorizó en Bruxelas el testamento del Emperador Carlos V. Murió en 8 de Diciembre de 1570: fué cavallero de Calatrava.

SECRETARIOS POR LO PERTENECIENTE AL PERU

- 1o. Pedro de Ledesma: Secretario del Rey. En 31 de Diciembre de 1604 se le nombró Secretario de la Camara del Perú con el sueldo de 200,000 mrs. cada año, y facultad de nombrar un oficial con 50,000 mrs. que aprovaria el Consejo, pudiendo el Secretario quitarle, removerle y nombrar otro en su lugar cada y quando que le pareciere convenir, por lo que importa que dependa de él, y nombró por oficial mayor á Sebastian de la Vega.
- Gabriel de Hoa: Secreto del Rey. Io En 31 de Diciembre de 1604 le nombró S. M. Secreto de Gobierno del Perú con 250,000 ms. de sueldo, y las demas facultades que á Ledesma y al Oficial mayor con el mismo sueldo de 50,000 mrs. y nombró para mayor á Pedro Ortes de Velasco. Este parece que falleció y quedó Ledesma con las dos Secretarias.
- 2o. Antonio Gonzales de Legarda. En 1626 por jubilacion de Ledesma.
- 3o. Fernando Ruiz de Contreras. Secretario de Nueva España: en 24 Octubre de 1628 por muerte de Legarda.
- 4o. Gabriel de Ocaña y Alarcon. Secretario de Nueva España: en 26 de Julio de 1641 por ascenso de Contreras á Plaza del Consejo.
- 5o. Juan Bautista Saenz Navarrete. Secreto de Nueva España: en 25 de Febrero de 1649 por muerte de Ocaña.
- 6o. Dn. Juan de Subira. Secretario de Nueva España: En 8 de Enero de 1661 por ascenso de Navarrete a Plaza del Consejo.
7. Dn. Geronimo de Ortega. Secretario de Nueva España: en 10 de Julio de 1622 por ascenso de Subira á la Secretaria de la Camara de Justicia de Castilla.
8. Dn. Juan de Solar. Secretario de Nueva España: En 6 de Septiembre de 1662 se le concedió el Gobierno para suceder á Ortega.
9. Dn. Gabriel Bernardo de Quirós. Secretario de Nueva España: en 27 de Noviembre de 1669 por muerte de Solar.
10. Dn. Francisco Fernandez Madrigal. Secreto de Nueva España: En 12 de Septre de 1674 por ascenso de Quirós á la Secretaria de Napoles en el Consejo de Ytalia.
11. Dn. Francisco Salazar. Secretario de Nueva España: En 21 de Septiembre de 1684 por ascenso de Madrigal á Plaza del Consejo.
12. Dn. Francisco Amoláz. Secretario de Nueva España: En 2 de Noviembre de 1684 por muerte de Salazar.
13. Dn. Antonio Ortiz de Otalora. Secretario de Nueva España: en 28 de marzo de 1691 por ascenso de Amoláz á plaza del Consejo.
14. Dn. Antonio de Ubilla Marques de Rivas. Secretario de Ordenes: En 20 de Octubre de 1694 se le concedió la futura de las dos Secretarias que vacase, y en 13 de Julio de 1695 se le dió la propiedad de la del Perú por ascenso de Otalora á la Secretaria de Milán.



15. Dn. Martin de Sierralta. Secretario de Nueva España: en el año de 1699 para suceder á Ubilla.
16. Dn. Domingo Lopez Calo. Secretario de Nueva España: En 1700 pa. suceder a Sierralta.
17. Dn. Bernardo Tinagero de la Escalera. En 5 de Octubre de 1706 para suceder á Calo.
18. Dn. Francisco Castejon. Oficial de la Secretaria del Despacho universal de lo Politico y Ecco: en 16 de Mayo de 1715 por ascenso de Tinagero á la Secretaria del Despacho Unicersal de Yndias y Marina.
19. Dn. Francisco Quincoces. Secretario de la Camara de Castilla en 20 de Enero de 1717 para suceder á Castejon que pasó a servir la de la Camara de Castilla.
20. Dn. Francisco de Arana. Oficial maor de la Secreta de Guerra en 30 de Abril de 1717 para suceder á Quincoces.
21. Dn. Francisco Diaz Román. Oficial de la Secretaria de Estado de Hacienda: en 29 de Enero de 1727 por muerte de Arana.
22. Dn. Miguel de Villanueva. Oficial de la Secretaria del Despacho en 1º de Marzo de 1732 por muerte de Roman.
23. Dn. Josef Joaquin Vazquez y Morales. Oydor de la Chancilleria de Valladolid: En 7 de Junio de 1747 por jubilacion de Villanueva.
24. Dn. Juan Crespo Ortiz. Oficial de la Secreta de Estado de Gracia y Justicia: En 30 de Octubre de 1757 por muerte de Vazquez.
25. Dn. Nicolas de Mollinedo, Marques de los Llanos. Secretario del Consejo de Hacienda en Sala de Millones: En 27 de Junio de 1766, por muerte de Crespo.
26. Dn. Domingo Diaz de Arce. Oficial 1º de la Secretaria de Estado del Despacho de Yndias: en 18 de Octubre de 1769 por ascenso de Llanos a la Secretaria de la Camara de Castilla.
27. Dn. Miguel de Sa Martin Cueto. Oficial maor de la 1ª Secretaria de Estado: en 22 de Novie de 1773 por muerte de Arce.
28. Dn. Manuel de Nestares. Secretario de la Junta de Comercio y Moneda, antes Oficial maor de la Secretaria del Despacho de Yndias en 21 de Febrero de 1785 por muerte de Cueto.
29. Dn. Silvestre Collar y Castro. Oficial maor de la Secretaria de Estado y del Despacho de Gracia y Justicia de Yndias: En 26 de Diciembre de 1790 por muerte de Nestares.

#### SECRETARIOS DE NUEVA ESPAÑA

1. Juan Ruiz de Contreras. Secretario de S. M. En Cedula de 31 de Diciembre de 1604 le nombró el Rey Secretario de la Camara de Yndias por lo perteneciente á Nueva Espa con 200,000 mrs. de sueldo al año, y facultad de nombrar un oficial mayor con 50,000 mrs. que deveria aprobar el Consejo concediendole facultad para quitarle renovarle, y nombrar otro en su lugar, cada y quando le pareciere convenir por lo que importava que dependiese de él, y nombró para tal oficial mayor á Juan Fernandez Madrigal.
10. Andres de Tobalina. Secretario de S. M. en 31 de Diciembre de 1604 se le expidió titulo de Secretario de Gobierno de Nueva España con el sueldo de

- 250,000 mrs. y las mismas facultades que Contreras, y el oficial maor con el sueldo de 50,000 mrs. y nombró para este empleo á Juan Lopez de Arnani.
20. Juan de Ciriza. En 24 de Septre de 1605 para suceder a Tobalina.
  30. Fernando Ruiz de Contreras. En 23 de Diciembre de 1621 se le concedió la futura, ausencias y enfermedades.
  40. Andres de Rozas. Secretario de Orns: en 24 Octubre de 1628 por ascenso de Contreras á la Secreta del Perú.
  5. Gabriel de Ocaña, y Alarcon. Secretario de Orns: en 26 de Enero de 1634.
  6. Dn. Juan Bautista Saenz Navarrete. Secreto del Consejo de la Sal: en 26 de Julio de 1641 para suceder á Ocaña, que pasó á la del Perú.
  7. Dn. Franco Galarreta. Secretario de Milan: por ascenso de Navarrete á la Secretaria del Perú, en 25 de Febrero de 1649: no llegó á tomar posesion, y se le ascendió á la Secretaria del Consejo de Guerra.
  8. Dn. Geronimo de Canencia. Secretario del Consejo de Ytalia: En 28 de Abril de 1649 por promocion de Galarreta á la Secreta del Consejo de Guerra.
  9. Dn. Gregorio de Legia. Secretario del Sor Dn Juan de Austria: En 6 de Novie de 1650 por ascenso de Canencia á plaza del Consejo de la Contaduria maor de Hacienda.
  10. Dn. Juan de Subira. Secretario de la Junta de Obras y Bosques. En 8 de Enero de 1660 por muerte de Legia.
  11. Dn. Geronimo de Ortega. Secretario del Consejo de Cruzada: en 17 de Diciembre de 1660 por ascenso de Subira á la Secretaria del Perú.
  12. Dn. Juan Solar. Secretario de S. M. en 10 de Julio de 1662 por ascenso de Ortega á la del Perú.
  13. Dn. Pedro Medrano. Secretario de Cruzada: en 7 de Septiembre de 1662 por ascenso de Solar á la del Perú.
  14. Dn. Alonso Fernandez Lorea. Secretario de Ordenes: En 3 de Diciembre de 1665 por ascenso de Medrano á la del Consejo de Guerra.
  15. Dn. Gabriel Bernardo de Quirós. Secretario de Cruzada: en 9 de Febrero de 1669 por jubilacion de Lorea.
  16. Dn. Francisco Carrillo. Secretario de Cruzada: En 10 de Diciembre de 1669 por ascenso de Quiros á la del Perú.
  17. Dn. Juan Fernandez Madrigal. Secretario del Consejo de Hacienda: En 2 de Mayo de 1670 por ascenso de Carrillo á la Secretaria de Justicia de Castilla.
  18. Dn. Garcia de Bustamante. Secretario del Consejo de Hacienda: En 2 de Octubre de 1674 por ascenso de Madrigal á la del Perú.
  19. Dn. Antonio de Rozas. Secretario de Ordenes: en 14 de Marzo de 1675 por haver pasado Bustamante á la de Sicilia.
  20. Dn. Josef de Beytia Linage. Tesorero Juez Oficial de la Casa de la Contratacion: por jubilacion de Rozas: en 9 de Novie de 1677.
  21. Dn. Francisco Altamira y Angulo. Secretario de Ordenes: En 9 de Abril de 1682 por ascenso de Linage á Secretario del Despacho Universal.
  22. Dn. Francisco Salazar. Oficial mor de la Secreta de Estado parte del Norte: En 7 de Julio de 1683 por muerte de Altamira.
  23. Dn. Francisco Amoláz. En 21 de Septre de 1684 por ascenso de Salazar á la del Perú.

24. Dn. Antonio Ortiz de Otalora. Secretario de la Junta de cargos: En 3 de Novie de 1684 por ascenso de Amolaz á la del Perú.
25. Dn. Juan de Larrea. Oficial mayor de la Secreta de Estado de la Negociación del Norte: En 26 de Marzo de 1691 por ascenso de Otalora á la del Perú.
26. Dn. Bernardino Antonio Pardiñas. Secreto de Ordenes: en 15 de Octubre de 1694 se le concedió el Gobierno de esta Secreta por ascenso de Larrea á la Secretaria de Guerra y Mara en 13 de Julio de 1695 la propiedad por ascenso del mismo Larrea á la Secretaria del Despacho Universal.
27. Dn. Martin de Sierralta. Oficial maor de la Secretaria de Estado de la Negociacion del Norte: En 31 de Julio de 1697 por ascenso de Pardiñas á la Secretaria de la Camara de Gracia, y Justicia.
28. Dn. Juan del Corral. Secretario de Ordenes: En 13 de Agosto de 1699 por ascenso de Sierralta á la del Perú.
29. Dn. Domingo Lopez Calo. Oficial mayor de la Secretaria del Norte: En 17 de Sebpre de 1699 por ascenso de Corral á la Secretaria de la Camara de Castilla por lo tocante á Justicia.
30. Dn. Manuel de Aperregui. Secretario de Orns: En 4 de Marzo de 1700 por ascenso de Lopez Calo á la del Perú.
31. Dn. Gaspar de Pinedo. Oficial maor de la Secretaria de Estado de Guerra y Hacienda: En 5 de Octubre de 1706 por ascenso de Aperregui.
32. Dn. Diego Sebastian Morales. Secretario de Ordenes: se le concedió en Gobierno á 31 de Agosto de 1713 la propiedad en 2 de Diciembre de 1714 cuyo empleo hacia mucho tiempo que estava vaco.
33. Dn. Andres de Elcorabarrutia. Secretario del Conso de Hacienda en 10 de febrero de 1717 por ascenso de Morales á la de Ordenes.
34. Dn. Geronimo Ustariz. Ministro de la Junta de Comercio: En 19 de Abril de 1729 por muerte de Elcorabarrutia.
35. Dn. Juan Bentura Maturana. Oficial de esta Secretaria, y luego de la del Despacho de Marina: En 1o de Marzo de 1732 por muerte de Ustariz.
36. Dn. Simon Moro de la Torre. Oficial de la Secretaria del Perú, Secreto de la Presidencia, y Oficial de la Sala del Despacho de Marina: En 21 Abril de 1737 por muerte de Maturana.
37. Dn. Francisco Campo de Arbe. Oficial de las Secretarias de los Consejos de Aragon é Ytalia, Secretario de las Presidencias de Cruzada y Castilla, y Oficial de la del Despacho de justicia: En 1o de Febrero de 1738 por muerte de Moro de la Torre.
38. Dn. Fernando Triviño. Secretario de la Embajada de Francia, Capitania General de Castilla, Oficial entretenido de la del Perú, y Secretario del Consejo de Hacienda. En 30 de Abril de 1740 por ascenso de Campo de Arbe á la Secreta de Aragon.
39. Dn. Juan Antonio Valenciano. Oficial maor de la Secretaria de Marina. En 21 de Marzo de 1748 por ascenso de Tribiño.
40. Dn. Josef de Goyeneche. Secreto de S. M. en 7 de Octre de 1750 por muerte de Valenciano.
41. Dn. Tomas del Mello. Oficial de la Secreta del Despacho Universal de Yndias: En 23 de Novie de 1764 por ascenso de Goyeneche á la de la Camara de Castilla.



42. Dn. Pedro Garcia Mayoral. Conde de Valdellano. Oficial maor de la Secretaria del Despacho de Marina: En 23 de Novie de 1770 por ascenso de Mello á la Secretaria del Patronato de Aragon.
43. Dn. Antonio Ventura de Taranco. Secretario del Consejo de Hacienda: En 13 de Abril de 1777 por ascenso de Valdellano á la Secretaria del Patronato de Aragon.
- En 2 de Julio de 1708 (sic) se concedió futura de qualesquiera de las dos Secretarias que vacase á Dn. Felix de la Cruz Ahedo: lo qual no tubo efecto.

## BOOK REVIEWS

*The Rise of the Spanish Empire in the Old World and in the New.* By ROGER BIGELOW MERRIMAN. Vol. IV. *Philip the Prudent.* (New York: The Macmillan Company, 1934. Pp. xxiv, 780. General Index to the whole work. \$7.50.)

In 1918, the first two volumes (*The Middle Ages* and *The Catholic Kings*) of the author's *Rise of the Spanish Empire in the Old World and in the New* were published, followed, in 1925, by volume III (*The Emperor*). Now, after a lapse of nine more years, comes the final volume in this great set, published in 1934. To the reviewer, who has had an opportunity of expressing his opinions of the preceding volumes,<sup>1</sup> *Philip the Prudent* seems like an old friend. It is in the same manner and style as the three earlier works, wherefore the reviewer might almost give a summary of the contents and then quote verbatim what he said before.

Continuing the numbering in "Books" and "Chapters" of the previous volumes, Merriman has books VII (The Spanish Empire at its Greatest Territorial Extent) and VIII (The turn of the Tide) here, with chapters XXXI-XXXV (406 pages) and XXXVI-XL (274 pages) respectively. The arrangement is topical, by chapters, rather than chronological for the whole account. Chapter XXXI deals mainly with the character and personality of Philip II., and with the European situation at the time of his accession to the throne, notably his position with reference to the Counter-Reformation. Chapter XXXII (The Last of the Crusades) is concerned with Philip's activities with regard to the Moriscos and his campaigns against the Turks, including a colorful story of the battle of Lepanto. In chapter XXXIII something is said about developments in the overseas colonies. Three phases are selected for the principal discussion: the settlement of Florida and the conflicts with the French; the Araucanian wars; and the refounding of Buenos Aires and the opening of the Plata country. Each of these is portrayed as somewhat detailed illustrations of different factors of the period through-

<sup>1</sup> Volumes I and II, in this REVIEW, I. no. 4, 435-441; III. in the *Political Science Quarterly*, XLI. no. 4, 610-612.

out the colonies. Colonial political agencies are also described. Chapter XXXIV covers Spain's relations with France, England, and the Netherlands, up to the year 1578, which Merriman looks upon as the great turning-point in the history of the empire. In chapter XXXV (The Annexation of Portugal) the inauguration of the new policy which was in fact to start the empire on the downward path is discussed. Heretofore, Philip had maintained the *status quo*, merely defending what he had. With his seizure of the Portuguese crown, he added another empire, and "Measured by the extent of the territory over which he theoretically held sway, Philip was the most powerful monarch that the world has ever known" (p. 400). But the "empire had become so top-heavy that it was almost inevitable that it should fall with its own weight" (p. 400).

Book VIII opens with chapter XXXVI, which gives a clear analysis of Spain's governmental machinery during the time of Philip. Other institutional phases are mentioned only briefly, if at all. Chapter XXXVII picks up the story of relations with the Netherlands, France, and England from 1578, going to 1585 for the two former countries, but, through the story of the Armada, to the end of the reign for England. In chapter XXXVIII, the domestic conflict with Aragon is considered, complicated, as it was, with the presence of Antonio Pérez, the personal enemy of the king. Chapter XXXIX resumes the account of relations with France and the Netherlands for the concluding years of Philip's reign. In chapter XL (Final Reflections), the author gives his views on a number of factors involved in the growth and decline of the Spanish Empire.

In this volume, as in the other three of the set, Merriman is again the political historian, concerned with the external narrative of Spanish affairs. The political are the only institutional phases which interest him. Except for mere mention, there is nothing of social factors, about six pages on economic conditions, and five on art and intellectual productivity—this latter despite a suggestion that the decline should be viewed "rather as a transference of the energy and genius that had hitherto manifested themselves in conquest and in war, to the gentler realms of literature and art" (p. 678).

Within the limits he has chosen for himself, Merriman is, as he has always been, the thorough-going historian. He has an extraordinary command of the materials. While he continues to make greatest use of printed matter, he has employed much more in manuscript sources



in *Philip the Prudent* than in the earlier volumes—and hopes, indeed, to add many of them to the stock of printed material in a work he has prepared for the press. All in all, it is doubtful if any historian, except possibly a few in Spain, knows the sources for a study of Philip II. nearly as well as Merriman does. As is his custom, he discusses these, first in a Note on the General Authorities (pp. 69-76), and then in bibliographical paragraphs at the end of each chapter. He has been almost ultra-objective and cautious in his handling of the evidence, never yielding to an impulse to be spectacular at the possible expense of the unbiased truth. Thus his recital of the story of Don Carlos, the eldest son of the king, is far from the gripping tale of Prescott, and even when he lets himself go a bit with respect to the Pérez affair, he is more concerned with the political issue it involved with Aragon than with the spicy details about Pérez himself. As Merriman puts it:

I feel strongly that at the moment better service can be rendered, not only to scholars but also to the general reading public, by careful investigation of the period as a whole, than by merely concentrating on the picturesque.

The author may have too high an opinion of the attainments of "the general reading public". Many of that elusive type of animal will not be able to read the statements in a foreign language in footnotes which are untranslated. Some scholars, too, might be a little vague about such things as *cuentos* or the value of florins, to give just these few examples of matters which are left unexplained. And even if the character of Philip himself is intensely alive, the general reader might like a somewhat more vivid portrayal of other men of the period—Don John of Austria and the Duke of Alva, for example.

Nevertheless, the reader (general or particular) has little of which to complain. The book is as readable as it is sound—and it *is both*. The author has thought of the structure of the work, both in its main divisions and in its smaller features, such as sentences and paragraphs, with as much care as he has of the authenticity and meaning of his materials. A broad grasp of the field and an admirable capacity for organization, for presentation of his knowledge to the reader, are salient points in the author's intellectual processes.

In looking about for material to criticize adversely, it would be easy to make a fairly long list of minor errors and inconsistencies, but these things are of infinitesimally small account in view of the many excellences of the book. The Spanish Americanists will find that

Merriman, as in his earlier works, is less well informed about the empire overseas than he is about the European phases of Spanish history. Quite apart from the comparatively small amount of space allotted to the Americas, there are occasional statements which one might challenge. It is somewhat of a shock to the reviewer to learn that the institutions of Spanish America "were but ephemeral; they were all to be swept away during the era of the Revolutions." The reviewer would say that, despite changes in nomenclature, the colonial period lived on under the republics, and to a great extent still lives, at least in spirit, if not in forms.

With *Philip the Prudent*, Merriman brings to a close his *Rise of the Spanish Empire*, which he began so many years ago. It is a great work, worthy of a lifetime of effort on the part of a great scholar. Leaving Spanish America out of the discussion, it entitles him to rank with Prescott and Lea, also Americans, as one of the three outstanding writers in English on Spanish history. Prescott, Lea, and Merriman. It is an honor for each of them to have his name coupled with the others, and to American scholarship to have produced the three. Aside from Spain itself, what other country can show an equally distinguished group of historians of the Iberian Peninsula? The answer is: *not any!* All due consideration and esteem to Merriman then, the latest of the three.

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*Autopsy of the Monroe Doctrine. The Strange Story of Inter-American Relations.* By GASTON NERVAL [RAUL DIEZ DE MEDINA]. (New York: The Macmillan Company, 1934, pp. xi, 357. \$3.50.)

The Monroe Doctrine is perverse. It has a way, among its other bad habits, of confounding the solemn proclaimers of its demise. Twenty years ago it was pronounced obsolete. Instead of accepting its fate in the graceful manner appropriate to obsolescence, it sprang into fresh currency with a liveliness and vigor that proved humiliating to the herald of its decline. Now the sad news, or the glad news, according to one's point of view, is proclaimed again. The Monroe Doctrine is dead. So says Doctor Nerval, who performed the autopsy. In one statement of the foreword, we are told that the cause of death was old age. In another, two or three lines farther on, we learn that

mistreatment at the hands of Monroe's successors was the instrument of destruction. Thus at the outset we are left to wonder whether the vital spark was extinguished by the remorseless hand of the great Enemy or by the bungling efforts of the Doctrine's own well-wishers. Not until we reach the last page of the book do we find that the two agencies combined to produce the fatal result. Exactly when the Doctrine ceased to exist is not indicated. The Doctor contents himself with saying, "It has been dead for years"; and he concludes by declaring that to bury it or not to bury it is the question.

So much for the autopsy, which seems to have been quickly accomplished with the pen and not with the dissecting knife. Then the Doctor assumed the rôle of Judge, in which capacity he proceeded to the weird expedient of a posthumous trial. The indictment, drawn by the Judge himself, in ten counts, follows with the reviewer's brief comment.

First count: The original Monroe Doctrine was not intended for the benefit of the Latin-American republics.

True. The wise statesmen who were responsible for the original declaration based their action on the solid ground of self-defense. Thoughtful men in Hispanic America have always understood and appreciated that.

Second count: Its results and merits have been grossly exaggerated.

Perhaps. Not a serious charge. The Judge himself admits this much in the culprit's favor:

Even though in 1823 it had far less influence in keeping Europe out of the American continents than is usually believed, it undoubtedly contributed to discourage her from any further concerted action against Latin America from that time on.

Third count: It is worn out and useless.

The Doctor does not agree with the Judge. The Doctor pronounced the thing a corpse. The Judge, though he is holding a posthumous trial, seems to suspect that the defendant still possesses a little life. Of what use that life may be in the future, let the Prophet and not the Judge declare.

Fourth count: It is a unilateral, egoistic policy, and exclusively of the United States.

Just a way of saying that the charge in the first count against the original declaration is true of the Doctrine of a later day. The Monroe

Doctrine was and is a national policy of the United States. National policies are by definition unilateral. When they cease to be unilateral they become bilateral or multilateral, in other words international. National policies are always based on self-interest; but self-interest need not necessarily be pursued to the detriment of other nations. The Judge continues to forget that the Doctor pronounced the Monroe Doctrine dead. A corpse of course cannot possess any of the qualities enumerated.

Fifth count: It did not create Pan Americanism but, on the contrary, it arrested the Bolivarian Pan Americanism of equal rights and mutual obligation.

This is a strange charge. It is characteristic of the author's muddled thinking. The Monroe declaration, probably had no effect whatever on Bolívar's efforts to create a league of American states. If it had any effect, that effect was beneficial rather than otherwise. It was not Monroe's dictum but Washington's precept that kept the United States from taking an active part in the Panama Congress of 1826. Whether the abstention was wise or not may be a debatable question; but that has nothing to do with the declaration made by Monroe.

Sixth count: It has been violated and disregarded on numerous occasions with the knowledge and, at times, the connivance of the United States.

The specifications are: the Falkland Islands case, the extension of the boundaries of British Honduras, the armed intervention of England and France in Argentina, British encroachments on the coast of Central America, the Clayton-Bulwer treaty (connivance?), French intervention in Mexico, and some others of lesser consequence. The author admits that when the most serious of these took place the hands of the United States were tied, and he would no doubt admit also that the violations led to no considerable changes in the map of the New World. In the circumstances the charge seems a little querulous.

Seventh count: The Monroe Doctrine has been distorted to serve as an instrument of the hegemony of the United States in Latin America.

Eighth count: It has been misinterpreted and abused to serve as a cloak for the intervention of the United States in Latin America.

Ninth count: It has been misconstrued and misused to serve as the tool of the United States' imperialism in the Caribbean area.

The words employed in these three charges—distorted, misinterpreted, abused, misconstrued, and misused—tend to relieve the



defendant of any taint of guilt. Let the one who misuses the instrument be condemned and not the instrument itself. Let the ignoble end and not the means be decried. Moreover, the importance of the Monroe Doctrine as a means of aggrandizement, or as a cloak for intervention, or as a tool of imperialism, has been greatly over-rated. Manifest destiny, at least in essence, antedated Monroe. It would be difficult to prove that Polk's appeal to the message of 1823 had any effect on the march of the American people toward the Pacific. No one can be sure that the Caribbean policy of the United States would have been different if the Monroe declaration had never been made. The only thing we can be sure of is that the United States has intervened in Latin America, particularly in the Caribbean area. We do not know whether that signifies the beginnings of an empire in that region or not. If the United States continues to move in the direction of non-intervention the answer is no, and all the talk about imperialism is beside the mark. Intervention then is the thing to condemn. To blame the Monroe Doctrine is to confuse the issue.

Tenth count: The Monroe Doctrine is in conflict with the peace machinery painstakingly erected by mankind since the end of the World War, and is made obsolete by the present trends of international relations.

The author's position is that the League of Nations, the Kellogg-Briand Pact, innumerable arbitration and conciliation treaties, the World Court, the disarmament movement, non-aggression agreements, and the like, are parts of the complicated machinery by means of which the statesmen of the world are striving to substitute the ways of peace for those of war in the settlements of international differences. Force, he thinks, has been outlawed and international coöperation has taken its place. The Monroe Doctrine being a national policy dependent upon force is incompatible with the new and beautiful world order of peace and coöperation. Moreover, it is incompatible with the good neighbor policy of the present executive of the United States. The author admits, to be sure, that some outside aggression against an American State might conceivably take place. In that case he would trust to the peace machinery in which he has so much faith to set matters right. What he would do in the event that machinery failed to function he does not say. He would doubtless find it humiliating to appeal to what he regards as the dead body of the Monroe Doctrine. But the Monroe Doctrine is not dead. It only slumbers. There is happily little disposition at the present time on

the part of the American government and people to awaken it on slight alarm or at the behest of unworthy interests. The question really is: to let slumber or not to let slumber. The answer may depend altogether on whether the international machinery harshly creaks or softly purrs—on whether it produces the demons of war or the angels of peace.

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*European Treaties bearing on the History of the United States and its Dependencies.* Volume III. Edited by FRANCES GARDINER DAVENPORT. (Washington, D. C.: Carnegie Institution of Washington. 1934. Pp. vi, 269. Index.)

This volume is a posthumous publication. The first volume of the publication, comprising the pertinent treaties and similar instruments signed between 1455 and 1648, was published, under the same auspices, in 1917. The second, including such documents signed between 1650 and 1697, appeared in 1929, as the present volume also posthumously. The present reviewer's comments on the value and distinguishing characteristics of the publication as exhibited in the first volume, contained in this REVIEW for February, 1919 (II., no. 1), apply also to this volume, especially the portion of it on which Dr. Davenport had practically completed the work. The ripe scholarship and careful research which characterized her first and second volumes became even more meticulous as her work progressed.

Dr. J. Franklin Jameson, who, as in the case of the first volume, also writes an appropriate brief preface to this, and who has completed Dr. Davenport's unfinished work, explains that before her death (which occurred in 1927) Dr. Davenport had nearly finished the work on seventeen of the twenty-three documents (numbered 85 to 107) which constitute this volume. With characteristic modesty, he says, regarding the six texts which he added: "As to the remaining six pieces, I have had neither the learning nor the time to deal with them as Miss Davenport would have done"; but, he explained, their connection "is so close that it seemed indispensable to include them in the volume". They occupy only the last 41 of the 255 pages of textual matter, an average of less than seven each, while those edited by Dr. Davenport, which he states required "only slight adjustments

and revisions" by him, occupy 214 pages, an average of a little more than twelve and a half each.

Students of American history will be surprised again, as in examining Dr. Davenport's earlier volumes, to find that so many of the European treaties concluded during the period covered by it contain provisions which affect regions that later become parts of the United States. Two evidences of the editor's conservative scholarship will probably also occasion some surprise: First, the use, contrary to common, though far from universal, present practice, of a period after each of the many Roman numerals, as in "Louis XIV." and "William III.", when they do not close a sentence;<sup>1</sup> and, second, (referring especially to students of Modern Spanish and of Spanish American History, to whom the publication will be most useful) the Spanish word "Asiento", used so many times, is spelled "Assiento" in the editorial notes as well as in English translations of Spanish documents and even in some, though not all, Spanish texts.<sup>2</sup>

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*Bernardo de Gálvez in Louisiana, 1776-1783.* By JOHN WALTON CAUGHEY. [Publications of the University of California at Los Angeles in Social Sciences, vol. 4.] (Berkeley: University of California Press, 1934. Pp. xii, 290.)

The author proposes to write a "comprehensive study" of the career of Bernardo de Gálvez, although he entitles the work *Bernardo de Gálvez in Louisiana, 1776-1783*. The volume opens with three chapters, about one fourth of the whole, devoted to Spanish Louisiana prior to the governorship of Gálvez. These present a readable summary of this period of Louisiana history, based on manuscript sources from Spanish archives and printed materials. There is a brief chapter dealing with the early life of Gálvez and a concluding one on the close of his career, both of which are sketchy. The body of the book consists of nine chapters on Gálvez in Louisiana, the first treating of trade and colonization, and the remainder (three fifths of the text) dealing with the participation of Spain in the war of the American

<sup>1</sup> Formerly Dr. Jameson's style in the *American Historical Review*, and the present style of this REVIEW.—Ed.

<sup>2</sup> With regard to the Spanish texts, the spelling of the original was of course meticulously adhered to.—Ed.

Revolution. These eight chapters, the product of much research, give a lively and interesting account of the military activities of Gálvez and his relations to the United States. The various episodes in Louisiana arising from the near presence of the British and Americans and their activities in the colony are set forth. The accounts of the expeditions against and capture of Mobile and Pensacola reveal Gálvez at the height of his career. The reward for these successes were the title of Conde de Gálvez, membership in the Order of Charles III., and promotion to the viceroyalty of New Spain in succession to his father. Unfortunately illness cut short his career within a year after his arrival in Mexico and before he had opportunity to display fully his abilities in a larger field of activity.

From this survey of the volume it appears that it can hardly be considered a comprehensive study of Gálvez, even for his years in Louisiana, since important subjects like Indian relations, religious affairs, and education are not discussed. The author himself states that "other developments in Gálvez' civil administration cannot be taken up in detail" (p. 84), which is certainly a confession that he has not lived up to his prefatory proposal. Perhaps a more apt title for the volume would be "Spanish Louisiana, 1763-1783, with special emphasis on its relation to the American Revolution".

Even in a biography dealing with a specific period of a man's life, it can reasonably be expected to find the place and date of his birth, his parentage, and some fairly complete statement regarding his early life, social environment, and education. A definite setting forth of these facts is not presented, although most of the information is readily accessible in the *Prueba de Caballería* of Gálvez for his entry into the Order of Charles III. A labored dissertation (p. 68) on the date of birth concludes with the statement that Gálvez "was about thirty, 'poco mas ó menos' ", when he became governor of Louisiana! The facts are that Bernardo de Gálvez y Gallardo was born at Macharaviaya (Malaga), on July 23, 1746, the son of Matias de Gálvez and Josefa Gallardo y Ortega. The romantic circumstances of his marriage to the widow, Félicie de Sn. Maxent d'Estréhan, which took place in New Orleans without royal consent and was later resolemnized in Havana, are overlooked.

An interesting example of inadequate archival investigation and historical writing is revealed in connection with a quotation from Martín Navarro's *Reflexiones* of which the correct date is September



24, 1780. The author states in the text that the date of the document is 1780. Then in a lengthy footnote he informs that Robertson dates it 1785 and Serrano Sanz 1783, and further asserts that the date is either 1780 or 1781. Finally, he adds that a certified copy in the Bancroft Library is dated September 24, 1780. The gentle reader is left to surmise which of the numerous dates is correct. A few minutes examination of the letter book of Navarro to Joseph de Gálvez would have settled the matter (A.G.I., P.C. leg. 633). Moreover, the author would have found here another copy of the *Reflexiones*, not known to Robertson and Serrano Sanz.

A check of certain translations of Spanish documents, particularly on pages 141 and 183-184, indicates that at many points in the translations the sense of the Spanish has been completely missed.

On page 243 the author has the following paragraph:

Immediately after the capture of Pensacola, Galvez was ordered to the islands to undertake the conquest of Jamaica. The Natchez rebellion called him to New Orleans and prevented his departure for a few months, and there was further vexatious delay in a forty-day passage to Havana, but by the end of August, 1781, the new task had been taken up.

An examination of the documents shows the following time-table for Gálvez during this period. The instructions for the Jamaica expedition were issued October 18, 1780; Pensacola was captured May 8, 1781; Gálvez remained in Pensacola as late as June 4; he received the above-mentioned instructions on June 11; he was in New Orleans before June 26 and remained there until July 19; and finally he arrived in Havana on August 16, 1781. It is impossible to insert in this timetable a delay of "a few months" and "a forty-day passage to Havana". The trouble lies in the misreading of the Spanish letter in which Gálvez explains the delay as due to,

the affairs of Natchez and the conclusion of other important matters prior to leaving the colony, but the principal reason and the one which, even without the others, would have been sufficient for my delay was the lack of vessels in which to make my voyage, since because of the prolonged calms and contrary winds unknown and unexpected in that season there was a boat which took forty days to sail from Pensacola to Louisiana.

An extended bibliography lists the manuscript materials, published documents, and secondary works used in the preparation of the volume. A comparison of the legajos cited from the Archivo General de Indias with the reviewer's *Descriptive Catalogue of . . .*

*the Papeles procedentes de Cuba* reveals the omission of certain legajos containing important Gálvez material. Also, in addition to the "Prueba de Caballería", in the Archivo Histórico Nacional, mentioned above, the "Diario del ataque y conquista de Panzacola durante los meses de Abril y Mayo 1781", by Joseph Solano, chief naval commander in American waters, as well as the correspondence of Solano with the minister of marine, Castejón, in the Archivo General de Simancas, were not utilized.

The foregoing statements indicate a certain looseness in the work of Dr. Caughey. Apparently his studies on the Spanish operations in the war of the American Revolution have been assembled with supplementary material to appear prematurely as a life of Gálvez. This first attempt at a biography of Gálvez, the ablest of the Spanish governors of Louisiana and a most active participant in the war of American independence, while a readable and interesting volume, unfortunately is not definitive. The field remains open for a comprehensive biography of Bernardo de Gálvez, Conde de Gálvez.

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*The History of Spain.* Part I by LOUIS BERTRAND, Part II by LOUIS BERTRAND and SIR CHARLES PETRIE. English translation by WARRE B. WELLS (New York: D. Appleton-Century Company, 1934. Pp. xv, 564. Index.)

A new one-volume history of Spain in English is always a matter of genuine interest to the teacher or general reader because those already available are unsatisfactory for one reason or another. One looks forward eagerly, therefore, to the next similar compendium, hoping that the ideal text will at last be found. Interesting as the present work really is, it must be confessed that the long quest is not ended. This attempt, chiefly the effort of a distinguished member of the *Académie Française*, proves to be an interpretation rather than a genuine history, but as such it makes interesting reading. In Part I the French historian, possibly because of his familiarity with the Arabs of Algeria, was moved by an evident desire to "debunk" the traditional view of the splendor of Moorish civilization in Spain; his indictment is impressive, though it is hardly an objective account of the eight centuries of Moslem domination. Many of his arguments

are stimulating as, for instance, when he points out that the high development of agriculture which made southern Spain a garden was essentially Roman in origin and not Arab. The invading Mohammedans, whose numbers were not great, merely took over as overlords, it is asserted, the farms and lands tilled since Roman days and kept the skillful Spanish agriculturists on the soil as semi-feudal serfs. Even such Moorish architectural triumphs as the Mosque at Cordoba, he finds, were the products of Christian masons and workmen.

All this would seem, however, to weaken his main contention that the Arab-Berber civilization systematically destroyed Latin culture wherever it was found in the Peninsula—and M. Bertrand himself admits the paradox that the Roman heritage was less well preserved in Asturias, which the Moors never conquered, than in southern Spain where their control was complete for centuries. And, according to the author, this long association is responsible for nearly all the less desirable traits of the Spaniards. The instability and disunity characterizing the Spanish nation in modern times can be traced, he believes, to the rivalries of Moorish potentates and to the lack of cohesiveness among the Arabs. Geographical and other factors receive little consideration in arriving at this conclusion. But M. Bertrand stresses repeatedly the alleged cruelty and intolerance of the Moslem; these qualities, he thinks, were borrowed by the Spaniards and became thoroughly ingrained in their character. Thus he accounts for the reported barbarities of the *conquistadores* in the new world.

This theory is, of course, exceedingly attractive and plausible to a Christian, particularly one with the Catholic prejudices of M. Bertrand. It overlooks, however, certain historical facts and the essential similarities of the human race everywhere. It is always easy for a race or a nation to satisfy itself that a more powerful race or nation resorts to greater extremes of cruelty and barbarism than itself. The prevailing conception of Spanish inhumanity still found among Anglo-Saxons undoubtedly stems from the fear and hatred which Elizabethan England felt toward the mighty empire of Spain then threatening its existence. Too often historians as well as the less informed are prone to confuse the spirit of an age with the character of a race or a nation dominant in the same period. Possibly the Tower of London could tell tales fully as dreadful as those in the records of the Spanish Inquisition. It is risky, therefore, to jump to the conclusion that the Moorish masters of Spain exercised a monopoly on

human perversity and that their atrocities were without parallel in their own time. The barbarities of the contemporary crusaders in their futile attempts to conquer the Holy Land are a matter of record and leave little to choose between Christian and Mohammedan. Indeed, the accounts of those warlike pilgrimages frequently suggest the superior refinement, culture, and chivalrous conduct of the Sarcens. One must not be carried away, therefore, as M. Bertrand is, by the alluring hypothesis that the Moslem invaders of Spain were extraordinarily cruel. The subjective nature of this interpretation is apparent in the non-critical treatment the French historian accords the Christian saints in his chapter entitled "The Martyrs of Cordoba".

Unquestionably, the narrative of Part I is rendered less confusing by the almost complete omission of an account of the rivalries of the little Christian kingdoms in the north of Spain and their struggle toward unity but, of course, the book's value as a record of the formation of modern Spain is impaired. However, an excellent picture of the Cid is given, and the succeeding chapters recounting the union of Castile and Aragon with the marriage of Isabel and Ferdinand, the fall of Granada, the discovery of America, and Spain's gift to the new world are judicious and illuminating.

The treatment of Philip II. and his rule is objective, though it is natural that such a controversial subject should give rise to differences of opinion. Even M. Bertrand seems contradictory. On p. 326 he states: "Philip II, however—he repeated it over and over again and with all the sincerity in the world—contemplated nothing but preserving the heritage which had been handed down to him by his father. . . ." On p. 337 he declares: "No doubt, if Philip II intervened in French religious quarrels, it was with the idea of definitely reducing France to the role of a satellite of Spain at the back of his mind." Philip II.'s meddling in France was actuated by more than preserving his paternal heritage; it is likely that he contemplated a great Catholic empire with himself at the head. His most loyal ambassador, Don Bernardino de Mendoza, frequently referred to his master's ambition to establish a Christian commonwealth which he likened to

a monastic order whose center would be Spain and of which the nations should be provinces. Each monk, German, Italian, and French would be a stranger to the monks of another nation, but all would be in accord through obeying the same chief, that is, the king of Spain who would give unity to the whole.<sup>1</sup>

<sup>1</sup> M. Rosseuw, Saint Hilaire, *Histoire d'Espagne* (Paris, 1869), X. 278.



Part II, occupying the last third of the book, is less interpretative and more strictly historical. One wonders, however, whether the French historian, presumably the author of the earlier chapters in this second part, is wholly objective in his appraisal of Spain's progress under the Bourbons. The statement that, when the first of this family to occupy the Spanish throne died in 1746, "he [Philip V.] had restored her [Spain's] prestige almost to what it had been in the days of Philip II.", arouses a certain skepticism. When, a few pages farther on (p. 422), he declares that, at the death of Ferdinand VI. in 1759, "the intellectual progress of the country at this time can hardly be exaggerated", the reviewer is moved to protest. Those of us engaged in studying and teaching the history of Spanish culture and literature too often feel obliged to apologize to our students for the paucity of material in the eighteenth century. Under the pall of French neo-classicism in that rationalistic period the Spanish creative instinct withered and almost disappeared. Some intellectual activity there was, of course, but scarcely more than a feeble imitation of French thought and philosophy. The spirit of the "Age of Reason" was foreign to the Spanish temperament and the eighteenth century, lying between Spain's Golden Age of letters and the artistic and literary renaissance of the nineteenth century, was an era of spiritual and intellectual bankruptcy. It is only too easy to exaggerate the intellectual progress of Spain at this time!

The later Bourbon, Ferdinand VII. (1808-1833), was not the utter monster that nineteenth century liberal historians have pictured him but, allowing for some partisan exaggeration, the fact remains that his stubborn, closed mind and unhappy reign epitomize that pathetic ineptness, if not downright incompetence, that characterizes so many of the Bourbons in Spain. As an apologist of the royal family, M. Bertrand (if it be he) is not convincing. The final chapters, presumably the work of Sir Charles Petrie, are excellent; they afford a clear, concise account of the events leading to the establishment of the second republic in 1931. Chronological appendices are useful but there is a notable absence of the usual scholarly apparatus so that it is difficult to distinguish between opinion and fact. The short bibliography indicates no apparent basis for selection. Despite the criticism offered, the reviewer recommends this volume to the student and layman; it is a most readable account and at times very stimulating. In closing, the translator is entitled to a warm word of com-

mendation for the excellent version of Part I which is rarely blemished by any *gaucherie* that disturbs the smooth reading.

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*The Black Consul.* By ANATOLII VINOGRADOV. (New York: The Viking Press, 1935. Pp. 438. \$2.75.)

The author of this study of the French Revolution and its effect on the colony of Saint Domingue purports to be the first Soviet writer to produce a history of a country other than Russia. This initial contribution under the title *The Black Consul* pretends to develop a new literary *genre* and to offer a novel departure in historical presentation and technique. Too often history has been either erudition unilluminated by vivid or effective portrayal or else historical quackery in which the romanticized element has made interest the keynote rather than veracity. Vinogradov is announced as avoiding either of these extremes: the pitfalls and prevarications of the historical novel are avoided by the incorporation in the text of actual documents, weaving about them the human narrative.

There is great difficulty in determining whether this book is to be judged as history or as literature; whether as a serious contribution to an extremely interesting phase of the French Revolution, or simply as a romance of more or less merit covering this epoch. It would appear however both from the publisher's announcement and the author's claims that *The Black Consul* is something in the way of a "new" history, and as such it must be submitted to the ordinary norms that prevail in criticizing history.

If fidelity to fact and unimpeachability of evidence are the criteria of relevant and legitimate history, then this brilliantly written fabrication must be discarded as well-nigh useless. Interesting enough, indeed, and perhaps even convincing in the atmosphere that it evokes, nevertheless, on the score of exactitude and the most elemental accuracy this work falls infinitely short of even decent history. It is dominated by misinformation and crass error from beginning to end. Vinogradov has given us a piece of fine writing but a sadly distorted and confused historical narrative.

Criticism is made difficult by the very abundance of mistakes. A review might easily become a cataloguing of anachronisms and of

fantasies. We may choose these portions of the text relating to Haiti as indicative of this unfortunate tendency. It is more than clear that the Russian author knows very little about Haiti; but if the bibliography at the end of the volume means anything, then it certainly is not pedantic to insist that he respect even the well known and obvious facts about its history. We find, for example, scenes in Paris during the winter of 1790 with Vincent Ogé, the mulatto precursor of Haitian independence, in comradely converse with Toussaint Louverture. Strangest of all, Marat comes upon the residence of the negroes in Paris, finding Toussaint ill with fever, attended by none other than Ogé. A remarkable experience, considering that Toussaint saw France for the first time in 1802 after his deportation by Leclerc! Ogé, who really had been in Paris in 1790, was later to return to the island and fall victim to the French in February of 1791. His execution had taken place some months before Toussaint began that active military career that was to earn him the proud title of the "Black Napoleon". It would seem stretching the truth rather more than necessary to make these two contemporaries in political life, and above all to have them fraternizing in the Paris of the Revolution.

This historical juggling continues through the entire volume. Dialogue is produced between Toussaint, Ogé, and Dessalines, in which Haiti's first emperor (under the name of Jacob, rather than Jean Jacques) is engaged actively in the machinations of the black delegation to Paris. Any handbook of Haitian history will inform the curious reader that Dessalines never left the shores of Saint Domingue, and much less was a participant or even a spectator of the stirring events of 1790 in Europe. This transposition of fact to suit fancy reaches a positively grotesque height when we read of a Dessalines who acknowledges his obligation to his Sorbonne training in the formation of his political and social creed. Dessalines, a solemn doctor from Paris! Haiti's liberator has been accredited with qualities of valor, of endurance, and of ferocious devotion to duty, but never of scholarship. One might continue indefinitely in pointing out errors of this nature. The book is almost incredible in the absolute consistency of the lapses from truth.

This volume of well over four hundred pages terminates with a bibliography that, in the author's words, includes only those sources, "whose authenticity is beyond dispute". There are 120 titles offered in support of this assertion, a perfect hodgepodge of reference mate-

rial, with no selection or discrimination whatsoever. The serious and the trivial, the valuable and the useless, are listed, with no word or indication to guide one through the bibliographical maze on the magic island. Here is a work that is to portray the brilliant drama of Toussaint Louverture and the heroic struggle of black slaves against a distant and an indifferent France. One wonders how a volume of personal vicissitudes like Franck's *Roaming through the West Indies* (No. 95) fits into the scheme of things as a contribution "whose authenticity is beyond dispute".

There is to be sure some merit in this book. If one may judge by a translation, the style is limpid and the effect excellent. The portrayal is convincing and one laments that it is not always true. One idea seems to be both clear and authentic. It may be called the feeling of the book, the dominating motif that lingers even when the reading has been finished. This is the pettiness, the picayunishness, the negligence, and the indifference of the French administrators of Haiti. Vinogradov communicates an impression of crassness combined with a certain irritation and incomprehension that might be said to characterize the whole policy of the mother country toward its most lucrative colony. Saint Domingue was obviously an annoyance. In Paris, men were concerned with great transformations in human destiny. These mulattoes and negroes were an unruly lot who rather spoiled the picture of idealism that was being created in France. It was no wonder, and in this one can easily agree with Vinogradov, that France lost its richest possession. It was lost because it had been despised and France no longer had any claim to its affection or even respect.

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*Monetary Inflation in Chile.* By FRANK WHITSON FETTER, Assistant Professor of Economics in Princeton University. (Princeton: University Press, 1931. Pp. xv, 213. Charts and tables. Index. \$2.50.)

The above is a very useful work to those who would understand the development of Chile during the last half century. It is written by a young scholar who had the advantage of training under Professor E. W. Kemmerer, and who later served as secretary to the chairman of the Commission of Financial Advisers to the Government



of Chile. With this double advantage, backed up by an inherited propensity for economics, the author has produced a brief but comprehensive work, interesting in style and thoroughly informative in subject matter.

An introductory chapter covers the monetary history of Chile to 1878. On that date the government resorted for the first time to paper currency. Before then the country had an economic reputation among the South American Republics for meeting its external obligations. This reputation for financial integrity was well deserved. Its public men in the first half century of national existence observed economy in public expenditure and strict honesty in the handling of public funds. This issue of paper money occurred on the eve of the war with Peru and Bolivia. At the conclusion of that contest, with the spoils of the nitrate region at its disposal, the Chilean Government presumably should have been able to redeem its paper issues and reestablish its monetary system on a coinage basis. Unfortunately, those who directed its policy in the flush days of the eighties preferred to spend the money, well but not wisely, on extensive public works, on an increased staff of public officials, and on a general raising of governmental salaries and contracts. Consequently, the country never reached the point where it seemed advisable to go back to the good old days of economy and careful spending. Occasional proposals, as in the mid-nineties, looked toward the restoration of the gold standard, but the increasing costs of living at home and possible foreign complications kept the country from realizing this ideal. The era of speculation that followed the turn of the century led to greater inflation. The country presented the spectacle of a conservative leadership that supported cheap money. Chile was under the control of a landed aristocracy. The estates of this group were for the most part heavily mortgaged; hence the conservative element favored easy money.

The world war, of course, added to the issues of emergency currency. The economic slump that followed that conflict made necessary further resort to the printing press. It was not until after the débâcle of the early twenties, amid an era of rapidly changing government and after financial experts had been called in to add their advice to occasional words of local wisdom, that the gold standard was reestablished, but it was far from being the standard of old. The peso was to be reckoned at a value of six English pence instead of the eighteen pence of the nineties or the forty or forty-five pence of the

days before inflation. Nor has the country been able, during the current depression, to maintain even this depreciated value.

This story Professor Fetter tells us in a little less than two hundred pages of text. He accompanies his exposition with seven pages of bibliography and an index of the same number of pages and intersperses his narrative with tables and charts that render clearer his exposition. Professor Kemmerer writes the foreword. The book will contribute materially to our understanding of the history of Chile and will, in some features, link that history with phases of monetary radicalism in our own country.

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*Fiesta in Mexico.* By ERNA FERGUSON. (New York: Alfred A. Knopf, 1934. Pp. viii, 267, IV. \$3.00.)

This work presents an interesting picture of the Mexican people portrayed through their fiestas, especially the regional and seasonal celebrations. Their racial and religious heritage may be seen in the fiestas where Indians in cheap imitation skins and feathers solemnly go through the form of some ancient ceremony the form of which is quite forgotten.

Fiestas are still religious although the government is trying to separate them from the Church. The Christian priests soon recognized that the Indians had been trained as actors in their Aztec rites and they decided to make use of this as an aid to teach the new religion. In this way many Indian customs still survive and ancient pagan Mexico comes through the pattern set by the Church. Aztec traces may be seen in costume, music, the dance form, and in a few simple dances.

Mexico has always been a land of fiestas and nobody enjoys them more than the Indian. Church and national holidays are occasions for celebrating with bands, fireworks, and village sports. Almost every day in the year some little church somewhere is having a fiesta and is the center of attraction for people who come to worship, to trade, to dance, obtain the news, and to have a good time. Even the saddest days in the Church calendar are thoroughly enjoyed.

The author describes the colorful and picturesque fiestas of Tixtla in honor of the birth of the Virgin, of Chalma the scene of many pilgrimages, the Moors and Christians in Tuxpan, the sad feast of

Oaxaca, the sacred dramas, the Sandunga dance of the Tehuanas, the Voladores, the Yaqui Pascola, the festival of the dead, of Lent, of the modern city, and the children's fiestas. The people who attend the fiestas, the towns where they are held, the chief actors, and local conditions are described. The book is well illustrated and has an index of three and a half pages.

Bobadil, the last king of Granada, is represented as having a lightly balanced mind and as timid. The fact is that he was a brave man and was called Bobadil the Little because he was young and not on account of being weak or cowardly. The name Díaz is unaccented throughout the book. The Mexican government is criticized for interfering with the fiestas of the Church through which the Indian has expressed his artistic sense. The fine things which the government is doing in the open air schools to encourage Aztec art and Indian modes of expression and the work of the rural schools to better the conditions of the natives are not mentioned.

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*Artículos de Costumbres y Literarios.* By NICANOR BOLET PERAZA. (Barcelona, Spain: Casa Editorial Araluce, 1931. Pp. 373.)

This is a posthumous publication. Bolet Peraza was the editor of *La Opinión Nacional* and *La Tribuna Liberal*, both leading Caracan dailies of the 1870's, the latter succeeding the former. He was prominent in the politics of the early years of Guzmán Blanco's régime. In the later 1880's, he represented Venezuela as minister at Washington and was Venezuelan delegate to the first Pan-American Congress. He lived in New York for a number of years, editing the *Revista Ilustrada* and *Las Tres Américas*, the latter of which he founded. He died in New York in 1906.

These genial, leisurely essays are not systematic history. They attempt much less in this respect than the essays of Arístides Rojas on the colonial society of Venezuela. The author insists, in fact, that he is in no sense aiming at a social history. But the observations and reflections on Venezuelan, especially Caracan, life, casual though they are, introduce us to the social milieu of the country in the nineteenth century.

The essays on manners, which comprise, in fact, most of the book, are of most interest to the student of history. These include com-

ments on day-to-day life—street scenes, beggars, children, dogs, school days, the carnival, the theaters, and theater-goers, historic landmarks, legends, the shops, the road from Caracas to La Guaira, Macuto, the Venezuelan Biarritz, priests, *Ulaneros*, and others.

The publication of these essays is a work of filial piety on the part of the author's son, J. C. Bolet, of Caracas. It might be said in passing that the latter has just completed a history of the Spanish financial administration in Venezuela. The Venezuelan government, which has recently done much to encourage the writing and the compiling of the history of the country, will finance the publication.

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## NOTES AND COMMENT

### DESERTERS IN THE MEXICAN WAR

An interesting phase of American history is that of the Mexican War from 1846 to 1848. Except, however, for Justin Smith's monumental work (1919), that history has been rather neglected of late years, though it is one which contains some of the most thrilling, most amusing, and unique episodes in our military annals. A most curious military phenomenon took place during this war. Desertion has been as common in the United States army as in any other; but apparently the only case known in which a body of United States soldiers after deserting, subsequently formed a distinct corps in the enemy's army, took place during these years. These deserters were called the "Irish Deserters" by the Americans and constituted two companies of infantry, known as the "Brigade of Saint Patrick", in the Mexican army. A large number of these renegades, some eighty in all, were captured by the Americans, after an amazing and desperate resistance, in the convent of San Angel, at the battle of Churubusco; were court-martialed and convicted; and fifty were hanged under dramatic circumstances. Those who escaped the extreme penalty were punished in the following manner as per general orders No. 340 of General Winfield Scott. They were

to forfeit all pay and allowances . . . to receive fifty lashes on the bare back, well laid on, to have the letter D indelibly branded on the cheek with a red-hot iron, to be confined at hard labor, wearing about the neck an iron collar having three prongs each six inches long, the whole weighing eight pounds, for six months, and at the expiration of that time to have the head shaved and be drummed out of the service.<sup>1</sup>

The above cited daily newspaper, *The American Star*, a particularly valuable and authentic source for the history of the deserters, was edited and printed by the United States soldiers during their occupation of Mexico City from October, 1847 to April, 1848, and resembles somewhat the *Stars and Stripes* of the A. E. F. in 1918. This paper served as a semi-official organ by publishing daily the general orders of the army. Among these orders happen to be those covering the court-martials of these deserters and those confirming or modifying the sentences imposed. There are also accounts of the various hangings of these men, by an

<sup>1</sup> *The American Star*, Mexico City, November 12, 1847.

eyewitness, which would seem to be fairly conclusive evidence. Incidentally, this paper is of the greatest interest in its reports and comments on the daily events of the occupation, but for some reason seems to have been overlooked by most historians of that war. One of its editors was a Harvard graduate of the class of 1827, named John H. Warland who served as quartermaster sergeant in the Ninth U. S. Infantry. He later donated a complete file of this paper to the Widener Library with a long explanatory letter in which he describes interestingly some of the sectional feeling existing in the United States army.

The story of these deserters goes back to April, 1846, when General Zachary Taylor advanced with his small army of about 3,000 regulars from Corpus Christi to a point on the Rio Grande opposite Matamoros. The Mexicans had already informed President Polk that such a move was tantamount to a declaration of war as they claimed all the territory between the Nueces and Rio Grande rivers, but when Taylor arrived on the opposite bank of the river, they delayed an attack for a time and turned loose a flood of propaganda on the foreign-born and Catholic soldiers in the United States ranks.

The Mexicans well knew that there existed a great difference of opinion in the United States regarding the acquisition of more land for the extension of slavery; also of the feeling which existed against the new Irish and German immigrants as expressed politically by the powerful American or "Know Nothing" party. They knew that the troops of the regular United States army contained a large percentage of these recent immigrants and so they endeavored to create rifts within their enemy's ranks in a manner somewhat similar to that employed by the allies toward the oppressed minorities of Austria-Hungary, during the last war.

General Ampudia, who commanded the Mexican troops at Matamoros, started the ball rolling by a proclamation of April 2, 1846, printed in English, which he managed to have generally distributed among the United States soldiers on the north side of the Rio Grande. This proclamation was a direct appeal to religious prejudice and called upon all good Catholics in the United States army to desert a cause which was really a masonic plot against the Church. It appealed to all soldiers of English birth and cited the threatened seizure of Oregon as a similar outrage to the annexation of Texas. It concluded with an additional appeal to the Germans, French, and Poles and promised good treatment to all deserters and a trip to Mexico City with all expenses paid.

On April 21, another proclamation was issued by General Arista who had superseded Ampudia. This one made a definite offer of 320 acres of land and Mexican citizenship to all privates deserting. The offer was proportionately larger to those of higher rank.<sup>2</sup>

These proclamations resulted in causing a surprisingly large number of desertions before the actual outbreak of hostilities. Among the first to desert was Sergeant John Riley, or Reilly, or O'Reily, of Company K, Fifth U. S. Infantry, who was said to have formerly been a sergeant in the 66th regiment of the British army, stationed in Canada, from which he had previously deserted. He had then enlisted in the United States army and had served, for some time, as drill sergeant at West Point. Riley, under pretext of going to mass, obtained a pass and immediately crossed the river, where he was received with open arms and given a commission as lieutenant in the Mexican army. He was soon joined by other renegades and they organized the San Patricio Battalion which was also called by the Mexicans "The Foreign Legion" and "The Red Company"; the latter name because the men had ruddy complexions and, some of them, red hair.<sup>3</sup>

This battalion took some part in the defense of Monterey and appeared again near Saltillo, where they were used with the artillery. They were then marched to Mexico City where their ranks were further augmented by the enlistment of other foreigners who were residents of Mexico City and in no sense deserters.<sup>4</sup>

After the United States army occupied Monterey, the Mexican priests made various attempts to induce further desertions and succeeded in persuading some fifty more men to leave. These men were all regulars, for the unruly volunteers were considered unfit for garrison life and were encamped in the bush outside, while the regulars were quartered in the city proper. Strange to say not a single volunteer deserted, although nearly a third of their number were Catholics; on the contrary, the latter were so physically violent against the Mexican propagandists that all efforts in that direction quickly ceased. Part of this feeling may have been because of the assassination

<sup>2</sup> John Reese Kenly, *Memoirs of a Maryland Volunteer* (Philadelphia, 1873), pp. 39-41.

<sup>3</sup> *The American Star*, Mexico City, February 9, 1848. (Reprint from *New York Commercial*); G. T. Hopkins, "The San Patricio Battalion in the Mexican War," in *Cavalry Journal*, September, 1913.

<sup>4</sup> Hopkins, *ibid.*

by the Mexicans of Father Rey, a popular priest attached to the volunteers. An officer of the Ohio volunteers said of this:

Father Rey was . . . a member of the society of Jesuits . . . an unpopular order in Mexico. . . . It was hinted by some, that while his ostensible mission was to counteract the influence of the Mexican priests and their insidious attempts to cause disaffection among our Catholic soldiers, his object was to secure, in the progress of events, the interests of his order, whose vast estates and possessions had been confiscated upon their banishment.\*

The next recorded appearance of the San Patricios was a strange meeting which took place on the road between Metahuala and San Luis Potosí in February, 1847. Sixty men of the Kentucky cavalry had been captured by the Mexicans, while reconnoitering, at the Encarnación hacienda south of Saltillo, where General Taylor lay with his army awaiting the approach of Santa Anna from the south. The American prisoners were marched south under guard and met Santa Anna and his army on their northward trek. One of these Americans afterward wrote an interesting account of their experiences. His description of Santa Anna, at this time, throws a new light on the habits of the "Napoleon of the South". He said:

We met the great army . . . twenty thousand strong, and marching in four divisions. First came his splendid park of artillery of fifty guns; then a body of five thousand infantry; then a huge body of cavalry; then infantry and cavalry, together in large bodies; then Santa Anna in person, seated in a chariot of war drawn by eight mules and surrounded by his staff elegantly and gorgeously equipt; then fluttered on his rear a bevy of wanton women; and lastly, covering his rear, his baggage train, in the midst of which were five mules loaded with chicken cocks, from the "best coops" of Mexico.

Regarding the San Patricio Brigade he made the following comment,

Among the mighty host we passed was O'Reilly and his company of deserters bearing aloft in high disgrace the holy banner of St. Patrick. One of these fellows was a Dutchman, who said to Corporal Sharp of Captain Heady's corps, tauntingly, "Vell, you ish goin to Shan Louish, hey!" "Yes" replied Sharp "I am, and you ish going to Saltillo, hey!" "Yes" replied the Dutchman. "Then you ish goin' to h-ll in ten days" rejoined Sharp. Some of these fellows were swept away by the cannon and musketry of Buena Vista, while others of them were reserved for a more appropriate doom.\*

\* *Sketches of the Campaign in Northern Mexico*, by an Officer of the First Regular Ohio Volunteers (New York, 1853), pp. 232-233, 276-277 (anon.).

\* *Encarnacion Prisoners* (Louisville, Ky., 1848), pp. 44-45 (anon.).



At the ensuing battle of Buena Vista on February 22-23, 1847, which resulted from the meeting of the two armies, the men of the San Patricio Brigade again acted as artillerymen and skilfully served a battery of heavy guns.<sup>7</sup> After Santa Anna's disgraceful retreat from the field of battle on which he would probably have won a victory had he continued the attack, the San Patricio Battalion again lapses into obscurity, so far as United States sources are concerned. They undoubtedly followed Santa Anna on his retreat to Mexico and possibly took part in the battle of Cerro Gordo against General Winfield Scott's army, advancing from Vera Cruz, but I have been unable to find any mention of them in accounts of that engagement.

After the defeat of Cerro Gordo on April 18, the provisional president of Mexico, Anaya, conceived the grandiose idea of inducing all the 3,000 Catholics in Scott's army to desert. He realized that the Americans would soon occupy Puebla without serious opposition, and set on foot plans for proselyting these Catholic soldiers on a large scale, upon their arrival there. The aid of the priests and the leading citizens of the city was enlisted; and the Mexican leaders were most optimistic as to the success of the scheme. The plan was, that after these 3,000 Americans had deserted, which appeared easy to accomplish, the city would rise in rebellion against the decimated United States army and would be aided by the forces of Santa Anna who would arrive at a specified time.<sup>8</sup> To initiate this plan, Santa Anna issued a proclamation from Orizaba addressed to the United States army in which he promised a bonus of \$10 and 200 acres of land to all United States deserters. To those who brought their arms and to officers the bonus was proportionately higher. Also an additional bonus of \$5 per head was promised to any person who could bring his friends with him in minimum quantities of one hundred. An equal rank in the Mexican army would be given to officers and the men would be organized into companies of their own similar to the existing Battalion of St. Patrick. A special supplement was appended to this proclamation entitled "From the Mexican Nation to Catholic Irishmen". This addressed them as "Sons of Ireland, a noble race" and

<sup>7</sup> Manuel Balbontin, *La Invasion Americana* (Mexico, 1883), p. 61; N. C. Brooks, *A Complete History of the Mexican War* (Philadelphia, 1849), p. 218; George Wilkins Kendall, *War Between the United States and Mexico Illustrated* (New York, 1851), p. 13.

<sup>8</sup> Niceto de Zamacois, *Historia de Méjico* (Méjico, 1880), XII. 695.

asked if they had forgotten the strong tie of religion and their traditional friendship with the Spanish countries. "What!" it read, Can you fight by the side of those who put fire to your temples in Boston and Philadelphia? Come over to us! . . . May Mexicans and Irishmen, united by the sacred tie of religion and benevolence, form only one people.<sup>9</sup>

Of course this absurd and fantastic plot brought no appreciable results. The reaction of most of the Irishmen was as one of them said to General Quitman, that the Mexicans were a lot of "damned black rascals" and certainly the miserable condition of the Mexican soldiers held out little inducement to join their ranks.<sup>10</sup> However, there were a certain number of desertions, probably not over 200, and these men were incorporated into the St. Patrick Battalion. All of these men were foreign-born with the exception of one or two who were captured while drunk and impressed into the battalion; the latter being afterward pardoned by General Scott when recaptured.<sup>11</sup>

When General Scott reached Puebla in early July, he decided that two could play the game of enlisting the citizens of the opposing side in one's own army, for he mustered the inmates of the town jail and promised freedom to all those who would enlist in a special body of mounted Mexican scouts. Some twenty-two murderers and cutthroats accepted this means of escape from imprisonment and were duly formed into a body under one Domínguez, a condemned murderer, and were known as "Domínguez's Scouts". The services of these men was later of great value to General Scott owing to their intimate knowledge of the surrounding terrain. The Mexicans looked upon these criminal recruits with the greatest loathing and called them "Poblados". General Anaya, who had left the presidency for active service and was captured at Churubusco, was so overcome by the sight of these renegades in United States uniforms, that he had to be forcibly held by his captors to prevent a near-epileptic attack.<sup>12</sup>

On August 7, General Scott resumed his march from Puebla to Mexico City and was next opposed by Santa Anna at the battles of Contreras and Churubusco on August 20. It was at Churubusco that the San Patricios made their mark in history. They were intrenched with two companies of Mexicans in the strongly fortified tête-de-pont

<sup>9</sup> *New York Herald*, October 17, 1847.

<sup>10</sup> Col. Geo. T. M. Davis, *Autobiography* (New York, 1891), p. 276; George Ballentine, *Autobiography of an English Soldier in the United States Army* (New York, 1858), pp. 255-256.

<sup>11</sup> Hopkins, *op. cit.*

<sup>12</sup> Zamacois, *op. cit.*, p. 746.

which defended the bridge near the convent of San Pablo and they put up the most desperate and stubborn resistance that the Americans encountered during the entire war. The work was finally carried by the Ninth and Fifteenth infantry and the New York and South Carolina volunteers of General Shields's Brigade, after suffering extremely heavy casualties. Even when their ammunition was entirely exhausted, the deserters three times pulled down a white flag which General Rincón, the Mexican commander, had hoisted to stop a useless massacre. The assailants eventually made a breach in the walls and after some desperate hand-to-hand fighting succeeded in physically overpowering the San Patricios who must have realized what their fate would be if captured. Two hundred and sixty United States deserters are said to have taken part in this defense, and it may be assumed that all of these either escaped or were killed except some eighty-seven who were made prisoners, including their leader Riley.<sup>13</sup>

Within a few days, twenty-nine of these men were tried by a court martial convened by General Order No. 263 and presided over by Col. Bennet Riley (no relation to John), but a Catholic himself who had risen from the ranks in the regular army through sheer merit and ability. At the trial all these men, of course, pled that they were captured and forced into the Mexican ranks but this was disproved by the testimony of some of the foreigners, not deserters, who had been captured. All the men were convicted and sentenced to be hanged, but General Scott, after a careful review of the individual cases, in General Order No. 281 commuted the sentence of seven "to receive fifty lashes each on their naked backs, and to be branded with the letter 'D' high up on the cheek-bone, near the eye, but without jeopardizing its sight." Two were pardoned outright for being legitimately captured and forced into the battalion where they refused to fight.<sup>14</sup>

Intense dissatisfaction was aroused among the Americans because Riley, the commander of the San Patricio Battalion, was included in the list of those whose sentence was commuted to lashing and branding. They felt that he had been largely responsible for the desertion of the others on account of his rank, intelligence, and general influence. General Scott, however, took a literal interpretation of the

<sup>13</sup> James Reilly, *An Artilleryman's Story*, Journal Military Service Institution of the United States, 1903, XXXIII. 438-477; 1909, XLV. 490-496; Brooks, *op. cit.*, p. 381.

<sup>14</sup> Hopkins, *op. cit.*; Davis, *op. cit.*, p. 224; Zamacois, *op. cit.*, p. 748.

Articles of War and because Riley had deserted previous to the actual declaration of war, refused to be moved from his decision.<sup>15</sup> Also the Mexicans were greatly stirred by the sentences; and the Archbishop of Mexico, the clergy, and various persons of consequence of Mexico City waited upon the general to beg clemency for those condemned to death; petitions were sent to him by the ladies of Mexico City and the English minister made representations asking for mercy; all to no avail.<sup>16</sup>

On September 10, the sentences were carried out at San Angel. An eye-witness on General Scott's staff wrote of the scene:

Those that were to be whipped and branded were tied up to trees in front of the Catholic church on the plaza, their backs naked . . . and an experienced Mexican muleteer inflicted the fifty lashes with all the severity he could upon each culprit. Why those thus punished did not die under such punishment was a marvel to me. Their backs had the appearance of a pounded piece of raw beef, the blood oozing from every stripe as given. Each in his turn was then branded and forced to dig the graves of those subsequently hung.

After this act, sixteen of the condemned men were hung on a common gallows "each being dressed in the uniform of the enemy in which he had been captured, the white caps being drawn over their heads". The method used was to stand two prisoners on the rear end of a cart drawn by a pair of fleet mules, place the noose around their necks, line up the eight carts in an even line and start them all together at the tap of a drum. This system worked rather well, as all, but one named Dalton, died without a struggle. Dalton was unfortunately choked to death. Curiously enough only seven out of the sixteen hanged admitted to being Roman Catholics and asked for the last rites from a priest. This possibly may show that there were as many Germans and Americans among them as Irishmen, and that the name "Irish Deserters" was a misnomer. The list of their names also seems to bear this theory out. The other remaining four prisoners were hanged the following day at Mixcoac to a tree, while passing through under guard.<sup>17</sup>

The remaining lot, thirty-six in number, were tried by another court-martial at Tacubaya, pursuant to General Orders No. 259, over which Colonel Garland presided, and all were convicted and sentenced to be hanged. General Scott once more remitted the sentence of two

<sup>15</sup> Davis, *op. cit.*, pp. 224-226.

<sup>16</sup> *New York Herald*, September 17, 1847.

<sup>17</sup> Davis, *op. cit.*, p. 228; Hopkins, *op. cit.*; Reilly, *op. cit.*, pp. 443-444; Brooks, *op. cit.*, pp. 400-401.



of them and commuted that of four to lashing and branding.<sup>18</sup> The remaining thirty were hanged at Mixcoac on September 13, on the day Chapultepec Castle was stormed and taken by the Americans. They were held standing, with nooses about their necks, upon an elevated gallows from which they could see the entire action. Colonel Harvey, in command, told them that the trap would not be sprung until the United States flag was hoisted over the castle. Their feelings may well be imagined, when, after several hours of desperate and sanguinary fighting, they saw the Eagle and Snake slowly hauled down and the Stars and Stripes run up in its place. Colonel Harvey was as good as his word for when the United States flag reached the top of the flagpole, the trap was sprung and all thirty were launched to their death. At the last moment these men showed a flash of real sporting spirit for as the United States flag slowly rose they gave a cheer which was heard across the valley.<sup>19</sup>

As the victorious Americans surged into the castle, Captain Tomás Murphy of the Mexican army and son of the minister to Great Britain, who had been wounded and captured, nearly paid with his life because of his name and light complexion for the attackers at first mistook him for another one of the San Patricio renegades and threatened to shoot him on the spot. Luckily he was eventually able to convince them of his status as a native Mexican.<sup>20</sup>

General Scott now took steps to prevent any further propaganda among the ranks by issuing General Order 296. He referred in it to a plot of certain Mexicans to make trouble and said:

The conspirators have also the services of several false priests who dishonor the religion which they only profess for the special occasion. Their plan is to . . . entice our Roman Catholic soldiers, who have done honor to our colors, to desert, under the promise of lands in California which our armies have already acquired and which are and forever will remain a part of the United States. Let all our soldiers professing the Catholic religion remember the fate of the deserters taken at Churubusco.<sup>21</sup>

The deserters whose sentences had been commuted were placed at hard labor during the occupation of the city. The Mexican newspapers made sporadic comments upon the alleged brutality with which they were treated and *The American Star* retorted with spirit to these attacks. Various petitions continued to be received for their clemency but with no effect. The last trace of them was an announcement in

<sup>18</sup> Hopkins, *op. cit.*

<sup>19</sup> Hopkins, *op. cit.*; Reilly, *op. cit.*, pp. 443-444; Kendall, *op. cit.*, p. 41.

<sup>20</sup> Balbontin, *op. cit.*, p. 131.

<sup>21</sup> *Star*, September 23, 1847.

the last issue of the *Star* of May 30, 1848, which said they were to be taken to New Orleans and there dishonorably discharged.

A sample of the fate which possibly befell those who escaped capture is told of by a United States naval officer who traveled across the country from Mazatlan to Mexico City after the fall of the capitol. His humor seems a bit Dickensian. He says:

In Salamanca, where we stopped to bait and change horses, a number of beggars surrounded the coach, and in one I at once detected the pure Milesian brogue and visage. He was whining and limping about, with a tattered hat and stick, imploring alms in the most ludicrous attempts at the Castilian tongue. "Why, Pat, you're a deserter" said I, from the top of the vehicle. "Who siz that," quoth he, evidently startled. Forgetting his infirmities, clapping on his sombrero, and clenching the stick in readiness for a fight, or flight, as he peered among the crowd; and stepping up to a miserable leper, whose face had been painfully stereotyped into a broad grin, he poked him sharply in the ribs, and roared out "Ye lie, ye baste! I was sick in the hospital, and the gineral tuk me off in his own carriage." "Here, Pat, I'm your man!" "Ah is it there ye are, Liftinint? You're a paycock of a bay! Will ye give us a rial?" "No, but if you chance to be caught by the Yankees, you'll get a rial's worth of hearty-chokes and caper sauce," I replied, going through a little pantomime with heels and neck for his especial benefit. "No, be jasus! thim Harney blaggards will niver choke me while the Dons is so ginerous!" This was the last I saw or heard of Pat.<sup>22</sup>

This ends the unique story of the deserters, patched together from scraps of evidence gathered, here and there, from available secondary sources. It has been a rather confusing sort of work as the accounts, with one exception, are all fragmentary and contradictory. The one exception is the short article by G. T. Hopkins in the *Cavalry Journal* of September, 1913, which gives a good description of the capture of the deserters at Churubusco and their execution; and also furnishes a list of their names and the organizations to which they belonged in the United States army. His account was largely based upon notes furnished by General Frank McCoy and Mr. Hopkins writes that he has "managed to get a peep at the testimony given in their defense". Also, Mr. Hopkins was evidently an army officer, and for all these reasons I have followed his account closely in regard to the number of deserters tried and executed, which number differs somewhat in the other sources.<sup>23</sup>

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<sup>22</sup> Lt. Henry A. Wise, *Los Gringos* (New York, 1850), pp. 246-247.

<sup>23</sup> In addition to authorities cited in the preceding footnotes, see also C. M. Wilcox, *History of the Mexican War*, Washington, 1892.

## NEW CASTILE

Mr. Means in his "Fall of the Inca Empire" corrects Merriman for representing Alvarado's attempt on Quito as an encroachment on Pizarro's jurisdiction. The censure is hasty in view of the clear statement of Pedro de la Gasca (*Doc. Ined. Esp.*, L. 10) that Pizarro's government began two degrees north of the equator. Moreover, of the six pilots summoned by Pizarro to give evidence before Bobadilla in 1537, five placed Santiago at 1° 30' N. and one at 1° N. (Cieza de León, in *Doc. Ined. Esp.*, LXVIII. 214). Santiago is twice there mentioned as being on the coast, and the Río de Santiago is twice mentioned. Again, Andagoya, who had reason to be familiar with the whole story, says: "The Government of New Castile begins from the Province of Catanez, which lies to the north of Puerto Viejo"<sup>1</sup> (Alvarado's landing place). Thus the best evidence contradicts Mr. Means's view that the "village of Tenumpuela, which was afterward called Santiago", is the island of Puná. The recurrence of the name Santiago in Puná need not surprise us, since the conquistadores strewed the name of their patron saint over the map.

In drafting the capitulation of July, 1529, the emperor and queen regent had no informant as to localities except Pizarro himself, who naturally placed the northern limit at the extreme north of the Inca empire. In proposing Chíncha as the southern limit, he probably mentioned the most southerly place of which he had heard; with diplomatic under-statement, he estimated the distance between these points at "200 leagues, more or less".

Mr. Means errs in saying that Alvarado's attempt on Quito was authorized by a capitulation dated 1532 (*Doc. Ultr.* XXIV.). That capitulation authorized him to discover toward the west of New Spain, the words, *hacia el poniente* occurring twice in a brief document. Alvarado was to cross the Pacific in the recurrent search for lands of

<sup>1</sup> Navarrete, vol. III. Andagoya says that the Province of Catanez (in which the N. boundary of New Castile lay) was to the N. of Puerto Viejo as far as the River S. Juan. This, of course, does not mean that the N. limit of New Castile was the River S. Juan. But it does mean that the N. limit was in a province N. of Puerto Viejo.

spice; and his attempt on Quito was flat disobedience to royal command, as Mr. Kelly makes clear in his biography of Alvarado.

On p. 54, Mr. Means says that Almagro's territory was "crazily defined" by the words "along the South Sea in an easterly direction". The "ludicrous heights" ridiculed by Mr. Means occur in his English translation, not in the Spanish original, which runs thus "Almagro . . . conquistará y poblará las provincias que hay por la costa del mar del sur a la parte de Levante, dentro de 200 leguas hacia el estrecho de Magallanes" ("Almagro shall conquer and settle the provinces along the coast of the South Sea on the eastern side, within 200 leagues towards Magellan's Strait"). The addition of the words "on the eastern side" is natural, since Alvarado had been ordered to explore towards the west.

In summarizing the conflict between Pizarro and Almagro "from April 1537 to April 1538", Mr. Means errs again in saying, "we need only remember that Cuzco was tossed about by the contending parties, being held now by the one, now by the other". From the time when Almagro entered Cuzco in April 1537, until he was defeated and captured in April, 1538, Cuzco never changed hands, but was his base throughout the war. Mr. Means's strange misstatement obscures the interesting fact, characteristic of South America, that the war of Salinas was in a sense a war between the two capitals, Lima and Cuzco, and ended with the victory of Lima and the conquest of Cuzco. It would be quite reasonable to regard the details of the War of Salinas as insignificant; but it is not sound history to emphasize, as the only thing to be remembered, a thing which is the exact opposite of the facts.

The writer of this note wishes to record the pleasure and profit gathered from the reading of Mr. Means's book. It would never have occurred to him to indicate flaws, not profoundly important, but for the desire to suggest that scholars should observe scholarly caution in criticizing one another. It is fair to add that there is some inconsistency in Professor Merriman's mention of the northern limit. But the exact interpretation of these paper limitations, to be blown to pieces by the rush of events, matters little. On the other hand the spirit of the historian matters much; and here Professor Merriman needs no defender.

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The publishing house of Espasa Calpe of Madrid is performing a real service with its series of biographies of 19th century Spaniards and Spanish Americans. These compact and readable lives are written by persons who either knew the subject of the sketch or have made an extended study of the individual. In such a series varying merit is a characteristic of the volumes although in this collection the average is high. Special attention is called to the volumes which treat of four Spanish women. María Manuela Kirkpatrick (F. de Llanos y Torreglia, *María Manuela Kirkpatrick, Condesa de Montijo, la gran dama*, 1932, pp. 243), the daughter of a Scotch-Irish merchant and American consul at Malaga, married into a noble family and became the mother-in-law of the Duke of Alba, the highest ranking noble of the kingdom, and of the French Emperor, Napoleon III. By sheer force of character she made her way in noble society and for many years was the leading figure in court circles. Isabel II (Pedro de Répide, *Isabel II, Reina de Espana*, 1932, pp. 296), daughter of the reactionary Fernando VII., became queen at an early age. The errors of her reign and the political situations and intrigues joined with her involved marital and extra-marital relations produced a rather sorry picture. It finally resulted in her dethronement, which was followed by varied political experiments ere her son was restored to the throne. Sor Patrocinio (Benjamin Jarnés, *Sor Patrocinio, la Monja de las Llagas*, 1929, pp. 291), a comely maiden who rejected the ardent suit of Olózaga, a leading politician, in order to become a nun, played a major rôle in nineteenth century Spain. Supposedly the possessor of miraculous wounds like those of Christ she acquired a dominating influence over Queen Isabel and especially over the royal consort Francisco de Asis. This influence was used to further her religious foundations and to secure favors of a political character. She was often considered as an agency of recommendations to the crown. Frequently opposed by prime ministers she was subjected to exile from the court and from Spain. Eugenia de Guzmán (Marqués de Villa-Urrutia, *Eugenia de Guzmán, Emperatriz de los franceses*, 1930, pp. 266), the daughter of María Manuela Kirkpatrick, through her own charms and aided by her ambitious mother, as well as abetted by the attitude of the reigning houses of Europe, captivated the Emperor Napoleon III., became his bride and the mother of the ill-fated Prince Napoleon. She graced the imperial court, acted as regent, believing herself specially capac-

itated to govern, and gave the final word for the end of the second empire. Each of these four women reached a ripe old age and all, except the Condesa de Montijo, spent many of their last years in exile.—ROSCOE R. HILL.

By reason of a grant in aid from the General Education Board, Prof. Lansing B. Bloom of the University of New Mexico, with Mrs. Bloom, worked this summer in the archives of Mexico City. The grant was made a year ago to continue the work which they had already done in Spain (1928-1929) and in Mexico (1930). The earlier work was financed by the School of American Research and the Historical Society of New Mexico, both at Santa Fé, and both have since collaborated with the University in acquiring important archival material in the form of facsimile reproductions. Because so much of the material in Mexico has been bound into volumes, Mr. Bloom has found the Leica system much the best both for speed and results. An assortment of blocks can be picked up at any *carpintería* and are used for leveling out the volume; each page is marked by a label with two pockets (in which the numbers are shifted with a penknife); an ordinary window-pane (about fifteen cents at any *vidrería*) is placed over the page—to keep the focus uniform; and the metal stand, with camera and lights attached, is quickly lifted on and off. Professor Bloom reports that by this method he has taken as many as fourteen films (about 500 shots) in a single day, but half of this is a good day's work.

The Carnegie Institution of Washington, in its "Annual Report of the Division of Historical Research" for the year 1933-1934 (pp. 111-117 of its full report) has a section (pp. 115-117) devoted to the "History of Yucatan Project". This work is under the direction of F. V. Scholes. The amount of photostated manuscript material relating to Yucatan that has been collected from the Archives of the Indies is amazing. These papers are easily one of the most valuable series of historical materials in the United States relating to Hispanic America. When they have been digested, it is quite probable that many interesting and valuable discoveries will be made.

The Liga de Acción Social of Mérida, Yucatan, has recently commemorated the one hundred and twentieth anniversary of the birth of Don Justo Sierra O'Reilly.—RAFAEL HELIODORO VALLE, Mexico.

During the month of November, 1934, occurred the centenary of the birth of Ignacio Manuel Altamirano. The National University of Mexico and La Asociación de Universitarias Mexicanas held a celebration at which the following papers were read: "Altamirano Poeta", by Enrique González Martínez; "Altamirano Orador", by Rubén M. Campos; "Altamirano Novelista", by Carlos González Peña; "Altamirano Crítico", by Salvador Novo; and "Altamirano Demócrata", by Salvador Azuela. A volume will also be published in which will appear the following: "Los Mexicanismos de Altamirano", by Pablo González Casanova; "Bibliografía e Iconografía", by Rafael Heliodoro Valle; "Altamirano Novelista", by Ermilo Abreu Gómez; "Altamirano Periodista", by Santiago R. de la Vega; "Biografía", by Luis González Obregón; "Altamirano inédito", by Ezequiel A. Chávez; and "Altamirano en la Actividad política", by Juan Sánchez Ozcona.—R. H. V.

On November 10, 1934, was celebrated in Argentina the centenary of the birth of José Hernández, the author of *Martín Fierro*.—R. H. V.

Dr. Sylvanus G. Morley, chief of the section of archaeology of Carnegie Institution of Washington in the diggings at Chichen Itzá delivered an address recently in the Sociedad Mexicana de Geografía y Estadística (partly also under the auspices of the Academia Mexicana de la Historia) on "The Family Tutul Xiu. The ancient royal House of Uxmal".—R. H. V.

May 26 of each year has been set aside in Montevideo, as an anniversary celebration of the foundation of the first public library in Uruguay, under the name of "El Día del Libro".—R. H. V.

The chamber of deputies of Uruguay has recently rendered homage to Domingo Faustina Sarmiento and Pedro José Varela, educational reformers of Argentina and Uruguay.—R. H. V.

During the last year of the celebration of the Fourth centenary of Lima, there will be held an exposition of native textile art, and another on International Posters.—R. H. V.

Unpublished theses primarily on literary subjects in fulfilment of the work for the degree of master of arts in the University of Texas, are as follows:

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- Brenizer, Lester C. Translation of Book II of Cervantes de Salazar's *Cr  nica de la Nueva Espa  a*. 1926. Pp. 233.
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- Montgomery, Mary. El elemento elegiaco en la l  rica cubano. 1928. Pp. 166.
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J. R. SPELL.

University of Texas.

Dr. James A. Robertson has been elected corresponding member of the Spanish Academy of History of Madrid.

Dr. James A. Robertson has been appointed archivist of the new Hall of Records at Annapolis, Maryland. He will assume his new post on October 1, 1935.



## BIBLIOGRAPHICAL SECTION

### A SURVEY OF INVESTIGATIONS, IN PROGRESS AND CONTEMPLATED, IN THE FIELD OF HISPANIC AMERICAN HISTORY

This is the third survey of this nature to be made, the first having been conducted during the school year 1926-1927 and the second during the school year 1930-1931. The material listed here represents the activities of the school year 1934-1935. As in the case of the previous surveys (published in this REVIEW for August 1927 and August 1931) it is hoped that the present one may be useful in reducing duplication of effort and in increasing coöperation among teachers and students in the field of Hispanic American affairs.

The survey has been undertaken under the auspices of the Inter-American Bibliographical and Library Association and with the assistance of the Division of Intellectual Coöperation of the Pan American Union and the Center of Inter-American Studies of The George Washington University. In the fall of 1934, Miss Heloise Brainerd of the Pan American Union sent questionnaires to approximately one thousand colleges and universities in the United States and to one hundred and twenty-eight institutions of higher learning in Hispanic America. The response from the latter has not as yet been very gratifying, and in consequence the report on the survey covering these institutions must be postponed until a later date. The response from institutions in the United States has been generally satisfactory. The total number of items listed here is 272, while the total listed in the 1931 survey included 282 items and the total in 1927, 238.

In the two previous surveys, all items were grouped under four headings. In this survey, the same four classifications have been kept, but a new classification (The Pre-Columbian Period) has been added as Number I. The same sub-headings have been used as in the previous surveys. Titles of works have been recorded wherever possible in the words of the persons sending them. No title has been listed more than once. There are no cross-references. Titles of theses sub-

jects and works contemplated have been so indicated if the fact is known.

The compiler wishes to express his appreciation for assistance given him by Miss Heloise Brainerd, Dr. James A. Robertson, Mr. Ernest Kletsch, and Miss Catherine Phelps.

A. CURTIS WILGUS.

The George Washington University.

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Harris, Helen W.: The life of Juan N. Almonte, Mexican diplomat. (Ph.D. thesis.) University of Texas.

- Hasbrouck, Alfred: Biography of Domingo Faustino Sarmiento. Washington, D. C. [Contemplated.]
- Biography of Bernardino Rivadavia. Washington, D. C. [Contemplated.]
- Hernández, J. M.: A study of Juan Ruiz de Alarcón y Mendoza. University of Oklahoma.
- Hole, Myra C.: Bartolomé Mitre. (Ph.D. thesis.) Columbia University.
- Jiménez, Judith: Joaquín de Arredondo, commandante general of the Provincias Internas del Oriente of New Spain, 1731-1821. (Ph.D. thesis.) University of Michigan.
- Krumtum, J. C. M.: Horace Mann and Sarmiento. (Doctor of Education thesis.) University of Oklahoma.
- Melom, Halvor Gordon: Francisco de Urdiñola. (M.A. thesis.) University of California.
- Moon, Martha: Domingo Faustino Sarmiento. (M.A. thesis.) George Washington University.
- Moore, Annie Pauline: The life of Bernardo O'Higgins. (M.A. thesis.) Stanford University.
- Rippy, J. Fred: The life of Joel R. Poinsett. Duke University.
- Sendon, A. R.: Guillermo Prieto. (Ph.D. thesis.) University of Texas.
- Shone, Alice Irwin: Amado Nervo. (Ph.D. thesis.) University of California.
- Stewart, Watt: A biography of Henry Meiggs. Oklahoma Agricultural and Mechanical College.
- Stone, Richard G.: A life of Joel R. Poinsett. Converse College.
- Thomas, Alfred B.: Caballero de Croix, 1776-1783 (his administration in New Mexico and southwest United States). University of Oklahoma.
- Todd, Katherine Grey: José Martí as a poet. (Thesis.) Tulane University.
- Torre, A. M. de la: A study of Rubén Darío. University of Oklahoma.
- Townsend, Tarleton: Federico Gamboa. (M.A. thesis.) University of Oklahoma.
- Van Horne, John: A study of Bernardo de Balbuena. University of Illinois.
- Warner, Ralph Emerson: A study of the life and works of Ignacio Manuel Altamirano. (Ph.D. thesis.) University of California.
- Wellman, Esther T.: Amado Nervo. (Ph.D. thesis.) Columbia University.
- Williams, Mary Wilhelmine: Dom Pedro the Magnanimous, second emperor of Brazil. Goucher College.
- Zimmerman, A. F.: Francisco de Toledo, fifth viceroy of Peru. (Ph.D. thesis.) University of Illinois.

D. TRANSLATIONS, REPRINTS, COLLECTIONS, COMPILATIONS,  
CALENDARS, AND INDEXES

- Ellics, Matilda: An edition of the Araucana of Santisteban Osorio. University of Illinois.
- Geiger, Maynard: A critically annotated translation of the *Relación de los mórtives que ha ovido en la Florida* by Fray Luis Gerónimo de Oré, O.F.M. Catholic University.
- Hackett, Charles Wilson: Translating and editing historical documents relating to New Mexico, Nueva Vizcaya, and approaches thereto, Volumes III and IV. University of Texas.



- Translating and editing Pichardo's treatise on the limits of Louisiana and Texas, Volumes III and IV. University of Texas.
- Translating and editing Luís Pérez Verdía's *Compendio de la historia de México*.
- Martin, P. A.: *Who's Who in Hispanic America*. Stanford University.
- Translation of *Formação historica do Brasil* by João Pandiá Calogeras. Stanford University.
- McKendree, Petty: An edition of the *Purien Indómito* of Alvarez de Toledo (Ph.D. thesis.) University of Illinois.
- Oursler, Anna L.: *Novelistas hispanoamericanos modernos*. Oklahoma Agricultural and Mechanical College.
- Owens, Alpha L.: *Editing with vocabulary and notes Ernesto Morales' Las enseñanzas de Pacaric*. Morris-Harvey College.
- *Anthology of South American literature of the twentieth century*. Morris-Harvey College.
- Steck, Francis Borgia: A critically annotated translation of Motolinía's *Historia de los Indios de la Nueva España*. Catholic University.
- Stock, Leo Francis: *Proceedings and debates of British Parliaments respecting North America, 1542-1783*. Catholic University.
- Wilgus, A. Curtis: *Editing volume of lectures delivered before the Seminar Conference on Hispanic American affairs at the George Washington University on Colonial Hispanic America*. The George Washington University.

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- Arce, J. M.: *The intellectual recognition of the Latin American in the United States*. Dartmouth College.
- Bernard, L. L.: *A study of social science materials and emphases in Latin American periodicals*. Washington University.
- Gange, John: *European travellers in South America prior to 1850*. (Ph.D. thesis.) Stanford University.
- Holden, W. C.: *A study of the ethnology, archeology, ethnobotanical, physical, anthropological and medical aspects of the life of the Yaqui Indians of Sonora, Mexico*. Texas Technological College.
- Jacobsen, Jerome V.: *Education in New Spain and Mexico*. Loyola University. [Contemplated.]
- Larson, V. T.: *The treatment of Latin American relations in United States history text books on the high school level since 1898*. (M.A. thesis.) The George Washington University.
- Lawrence, Henry W.: *A study of Latin American patriotism as taught in history and civics courses in the elementary schools of Mexico, Argentina, and Brazil*. Connecticut College.
- McKinley, Earl B.: *Study of the incidence and distribution of tropical diseases*. George Washington University.

## NOTES

Dr. Herminio Portell Vilà, who spent over two years in the United States as a Guggenheim fellow, engaged in researches on Cuban-United States relations, attended the Foreign Policy discussions in the late summer of 1934. He was also a delegate at the Seventh International Conference of American States. The literary results of the latter appear in his *Cuba y la Conferencia de Montevideo* (Imprenta "Heraldo Cristiano", Escobar, 102, La Havana, Cuba, 1934; pp. 115). This study is dedicated to Dr. Ramón Grau San Martín. The substance of the pamphlet was published in eight articles in the review *Bohemia* (Havana) in the editions of March 4, 18, 25, April 1, 8, 22, 29, and May 6, 1934. The narrative is followed by four appendices, as follows: Nombramiento de la Delegación Cubana e Informe oficial de sus Trabajos en la VII Conferencia Internacional Americana; Discursos, Proposiciones, Dictámenes e Informes de la Delegación Cubana a la VII Conferencia Internacional Americana, tomados del "Diario Oficial de la Conferencia" números 1-23; Juicios sobre la labor de la Delegación Cubana en la VII Conferencia Internacional Americana; and Una Entrevista con el Dr. Giraudy, Jefe de la Delegación Cubana, de las muchas publicadas por los Periódicos Sud-Americanos". Dr. Portell Vilà has also published recently a small pamphlet entitled *Martí, Diplomático* (Havana, 1934, pp. 31). This is a reprint from the *Revista Universidad de la Habana* (May-June, 1934), and bears imprint "Cultural, S.A., La Habana". The article proper (pp. 1-21) is followed by "Un apendice de cartas inéditas de Martí, conservadas en el State Department, de Washington, D. C.". Dr. Portell Vilà has written his article with scholarly care and has brought out various new data concerning the eminent Cuban. The letters written in English by Martí have been presented both in English and in Spanish translation.

*Ores and Industry in South America* by H. Foster Bain and Thomas Thornton Read (published for the Council on Foreign Relations by Harper & Bros., 1934, pp. xvi, 381, \$3.50) is a capital resumé of present mining conditions in the southern continent. The

volume contains a great deal of very practical and pertinent information on mineral deposits, mines, conditions, tendencies, and probabilities. The problem, as the authors see it, is stated in the first chapter, which is followed by a chapter on the land and the people. Chapters III-XII discuss the ores, etc., of Colombia, Venezuela and Trinidad, the Guianas, Brazil, Uruguay and Paraguay, Argentina, Chile, Peru, Bolivia, and Ecuador; and much valuable economic information is given. Chapter XIII is on "who own the mines of South America"; and XIV on "What of the future": both of these chapters really being summaries, and reminding the reader of Tannenbaum's *Whither Latin America*. The volume shows that the greater part of the capital invested in the mines is of foreign origin. Some products, like the nitrates of Chile and the copper of various countries have declined greatly and it is highly probable that the Chilean nitrates will never regain their former pinnacle. While coal is found in many places, it is not of an exportable quality. It is quite probable that the iron deposits of Brazil—the most extensive reserve in the world—will not be actively worked so long as other deposits can be more cheaply mined. The tin of Bolivia has an active competitor in the far east; and it would appear that the greatest present hope is in petroleum of which there are vast deposits in various parts of the continent. The authors of this excellent handbook conclude:

South America is, indeed, a continent with a future, but not a spectacular one in industry. Here and there an adventurer will find a gold mine; from many countries a surplus of minerals will be shipped as raw materials; petroleum production may be expected to increase and important new fields may be found; in individual areas mineral fabrication will develop as a part of manufacturing to meet local needs; but on the whole the world may expect the development to be slow and along existing lines. . . .

A recent Clark book is *The Comanche Barrier to South Plains Settlement* (Glendale, California, 1933, pp. 424, \$6.00) by Professor Rupert Norval Richardson, of Simmons University. The volume is the narrative of "a century and a half of savage resistance to the advancing white Frontier". While the volume is concerned mainly with relations between the Comanches and the Anglo-Americans, the early contacts with Spaniards and Mexicans are also related, and the periods of the Texas Revolution and of the Mexican War figure importantly. As indicative of the range of the Comanches, it is stated

that they raided from the Platte to as far south as Durango, and were alike a scourge to Mexico and the United States. The first chapter on "The Tribe and the Country" forms a good setting for the work. It is unfortunate, as the author remarks, that no thorough ethnological study of these interesting and virile Indians, who are now passing away rapidly, has yet been made. Like all Clark books, this one has an excellent format and a good index and is printed in legible and pleasing types. The book has been written carefully and is a contribution to the history of the southwest and the north Mexican states.

Professor Richardson and Carl Coke Rister, associate professor of history in the University of Oklahoma, are the authors of another striking volume entitled *The Greater Southwest* (Glendale, California, The Arthur H. Clark Company, 1934, pp. 506, \$4.00). The sub-title "The economic, social, and cultural development of Kansas, Oklahoma, Texas, Utah, Colorado, Nevada, New Mexico, Arizona and California from the Spanish Conquest to the twentieth Century" well describes the volume and shows the tremendous scope of the narrative. The authors have set forth the foundations of modern civilization from the earliest Spanish exploration and settlement to the close of the nineteenth century. The volume is meant to be primarily a college textbook concerning the southwest region for the period covered. The narrative leads from Spanish exploration and settlement to Mexican ownership and ultimate Anglo-American entrance and final possession. Of the twenty-four chapters, one is descriptive of the territory and its native races; one relates to the advance of the Spaniards; one to the meeting of civilizations, and one to the clash of civilizations. The remainder of the volume deals primarily with the Anglo-American advance, and is in much greater detail than the period ending with the establishment of the republic of Texas. In the Anglo-American advance, all the factors are considered, including the coming of Anglo-American explorers, trappers, and traders, the Mexican War, the Mormons, the prospectors, the problems of the Mexican cession, the overland mail, the Indians, the cattle and sheep industries, the railways, and later developments. At the end of each chapter is given a reference list of the most important materials for collateral reading. In its general make-up, the volume conforms to the customary excellence of the Clark books; and in its materials it is sound.



William L. Nida has written an excellent volume entitled *Explorers and Pioneers* (New York, Macmillan, 1934, pp. lx, 604, ix, \$1.28), which is intended for pupils in the intermediate grade. Beginning with the Vikings, the author gives in fifteen chapters a brief history of discovery and exploration, ending with the adventures of Sir Francis Drake. In this section he tells something of Columbus, Cabot, Magellan, Ponce de León, Fernando de Soto, and the explorations of the French and the Dutch. The remainder of the volume, with the exception of Part V, "Winning of the Far West", has no Spanish material. The volume is intended to illustrate the history of the lands now belonging to continental United States, and by the method of presentation employed—that of giving the child much to talk about, but little to memorize, but the unconscious forming of an historical background—the volume admirably fulfils its purpose. A companion volume to illustrate the history of the Hispanic American countries would fill a need, now that our schools are increasingly adding the study of Hispanic America to their curricula. Briefly told sketches of the early settlements, and their founders, as well as of the early conquistadores would help stimulate the curiosity of the child.

*Gringa: An American Woman in Mexico* (by Emma-Lindsay Squier, Houghton Mifflin Company, 1934, pp. 282, frontispiece and 23 full-page illus., \$3.50) is an excellent description of certain phases of present-day Mexican life as experienced by its author. The book, written throughout in a spirit of keen sympathy, is the result of two excursions into Mexico—the first down along the coast of Southern California and into the interior as far as Guadalajara; and the second (after the marriage of the author) to Mexico City and vicinity, and Yucatan. The volume is especially recommended to those who are fearful of Mexico and Mexicans. It is not only instructive but brings out in high relief many of the fine qualities of the Mexicans. It is not meant to be history, but in time will take its place as an interesting chapter in Mexican social life behind the scenes. One of the few faults one can find in the book is the repetition of the old false tale of Alvarado's leap. The inside covers contain a map on which are marked the places visited by the author. Various descriptive phrases, such as "Cradle of Mexican Liberty" at Dolores Hidalgo, are given.

J. Ignacio Rubio Mañé announces the publication of the third volume of the historical work, *A través de las Centurias*, by Lic. José M. Valdés Acosta. This volume will consist of 550 pages, and will contain information along genealogical, historical, biographical, and literary lines, and will have more than fifty illustrations of the prominent members of the great families of Yucatan.

Andrés Henestrosa is collecting data for a book on the isthmus of Tehuantepec. He is the author of *Los Hombres que dispersó la Danza*.—RAFAEL HELIODORO VALLE, Mexico.

Dr. Antonio M. de la Torre, professor in the University of Oklahoma, is spending a year in Mexico for the purpose of gathering data for a life of Rubén Darío, which it is expected will be published through the Oklahoma University Press.—R. H. V.

Señor Gastón Vives will soon publish a pamphlet on the wealth of Lower California, in order to show the importance of mother-of-pearl shell and its systematic exploitation.—R. H. V.

The Sociedad Mexicana de Geografía y Estadística plans to publish shortly its "Diccionario Geográfico, Histórico y Estadístico de la República Mexicana".—R. H. V.

On the initiative of the director of the Instituto de Alajuela, Costa Rica, Professor Salvador Umaña, the centenary of the first printed periodical to circulate in the republic has been celebrated. This was the *Noticiario Universal* which was published from April 26, 1834 to March 7, 1835.—R. H. V.

Volume XII of the "Biblioteca Goathemala" of the Sociedad de Geografía e Historia of Guatemala is *Libro viejo de la Fundación de Guatemala: Papeles relativos a D. Pedro de Alvarado*, which has a prologue by Licentiate Jorge García Granados. The society is directed by the wellknown scholar, Licentiate J. Antonio Villacorta C.—R. H. V.

Among recent Guatemalan books are the following: *El Tigre*, by Flavio Herrera (Unión Tipográfica de Muñoz Plata y Cia); *Lo que no Sucedió*, by Carlos Samayoa Aguilar; *El Canto de la Sangre*, by

Oscar Mirón Alvarez; "*Espejos*, by M. Marsicovétere y Durán (Colección Mínima)"; *Madre Milpa* and *Llama y el Rubén poseído por el Deus*, by Rafael Arévalo Martínez (Editorial Librería Renacimiento, Guatemala).—R. H. V.

In honor of the fourth centenary of the founding of the Christian city of Cuzco, Dr. Luis E. Valcárcel has published a new volume which he calls *Cuzco, Capital arqueológica de Sud-América*.—R. H. V.

The publications of the Touring Club Peruano of Lima, Peru, are very interesting. The latest one relates to the department of Piura, and has been compiled by Federico Helguero.—R. H. V.

The University of La Plata, Argentina, has recently published in two volumes the minutes and scientific proceedings of the twenty-fifth international congress of Americanists which was held in Buenos Aires.—R. H. V.

The Fine Arts Press of Santa Ana, California, published in 1934 an interesting volume by Eleanor Hague entitled *Latin American Music* (pp. [8], 99). The book itself is a contribution in a field of which comparatively little is known in the United States; although the concerts of Latin American music which have been given by the Pan American Union during the last several years have done much to familiarize those who have attended the concerts or listened in at the radio with certain aspects of that music. This work has a place in the historian's library, for it shows a cultural development in Hispanic America from the earliest to modern times. Accounts taken from old writers are reproduced. The five chapters deal with "The people and the country" (in which the music of the native peoples before and at the time of the conquest is described); "The fusion of the colonial period"; "The last tonal frontier—Los Indios bravos"; "Instruments and songs"; and "The sophisticated music of the present and its prospects". The book is well illustrated and various excerpts of music and words are given. Following the last chapter is a partial list of musicians (pp. 85-88), the nationality being noted in each case; and pp. 91-98 consist of a bibliography, which is a mere list without comment. There is no index. It would seem somewhat of an anachronism to include the Philippines in this book, for while Spanish music tended to

supplant the native music, the latter was oriental rather than Amerind. The volume is a good introduction to a broad subject. As a piece of bookmaking the volume is excellent, being well printed on good paper and bound in a dignified and quiet manner. It was designed by Mr. Thomas E. Williams, of the Fine Arts Press.

The *List of Doctoral Dissertations in History in Progress at the Chief American Universities*, 1934, has been issued by the Department of Historical Research of the Carnegie Institution of Washington (pp. 62). Several titles in the section "Italy and Spain" (pp. 14-15), and the entire section "America south of the United States" (pp. 48-50) are of interest to those concerned with Hispanic American history. Several titles also appear in the section entitled "Dissertations printed since December, 1933" (pp. 50-53). The list has been compiled with its usual care.

The Biblioteca Nueva (address, Calle de Lista, núm. 68, Madrid, Spain) has inaugurated the reproduction in facsimile of a series of the rarest Spanish books by classical authors. The series is being issued under the directorship of the wellknown scholar, Sr. D. Miguel de Artigas, member of the Spanish Academy and director of the Biblioteca Nacional. The volumes are to be bound in full leather, elaborately tooled gilt, in imitation of the style that prevailed during the sixteenth and seventeenth centuries. Beginning with March, 1935, it is planned to issue at least one work per month. Quite rightly, the first work to be published is the facsimile of the original two volumes of the incomparable *El ingenioso Hidalgo Don Quixote de la Mancha*, which were first published in 1605 and 1615 respectively. The volumes are all that one could wish. The printing was finished December 10, 1934, and was done by the Manul process at the Talleres Offset of San Sebastian. The result is remarkably felicitous and the volumes have all the appearance of the originals. The paper has been chosen with a nice distinction that adds to the appearance of the finished book. The only liberty the director has allowed himself—and quite rightly—is an essay at the end of Vol. II, entitled "Los primeros pasos de El Quijote", in which various valuable data are given concerning the various editions of the first volume of the work—there were seven editions of it in Spain in 1605. Rodríguez Marín has proven by documents that the lack of copies of the first edition is owing in



large part to the fact that beginning with February, 1605, copies of Vol. I began to be sent to America—about 1500 copies being sent there during the first few months after the publication of the first edition. In 1917, 966 editions of this classic, in thirty-one languages were noted—a sufficient proof of the enduring fame of Cervantes. The series will be of considerable importance to Hispanic America, for among the more than fifty classics to be reissued are the following: *Historia de las Indias*, by Bartolome de las Casas; The Letters and Relations of Cortes; *Descubrimiento y Conquista de México*, by Bernal Diaz del Castillo; *La Araucana*, by Ercilla. The two volumes of Don Quijote sell for seventy-five pesetas—a remarkably low price. The price of succeeding volumes will be between thirty and fifty pesetas, according to the size of the volumes. The publication of the Quijote is an achievement in itself.

Sr. Luis Chavez Orozco is the author (1934) of two volumes on the history of Mexico, which are intended for the use of secondary schools. The volumes are being distributed by Editorial Patria, S. A., Avenida Uruguay, 25, Mexico, D. F. Vol. I treats of the “Época precortesiana”, and Vol. II of the “Época colonial”. A third volume, presumably to deal with the national era will be published soon. The work is elementary in character and forms part of the program as laid down in the official educational program. Both volumes carry a number of illustrations. As a unit, the volumes are emblematic of the new Mexico which has been so active along educational lines during these latter years.

A welcome addition to the bibliography of José de San Martín is José Pacífico Otero's *La Vida y la Muerte del Héroe* (Buenos Aires, Talleres S. A. Casa Jacobo Peuser, Ltda, 1933, pp. 38). This was issued as an “Homenaje tributado por el Instituto Sanmartiniano el 17 de Agosto de 1933, en el 83 Aniversario de la Muerte del Libertador General Don José de San Martín en Boulogne-sur-Mer”. Dr. Otero is president of the Instituto Sanmartiniano. The address is an excellent summary of San Martín's life and death.

The Paraguayan side of the present conflict over the Chaco region is well given by Philip De Ronde in his *Paraguay: A gallant little Nation* (New York, G. P. Putnam's Sons, 1935, pp. xiii, [3], 17-123.

\$1.75). This volume, which is called "the inside story of the war between Paraguay and Bolivia in the Gran Chaco" has a foreword by General Smedley D. Butler. Colonel De Ronde has acted as Paraguayan consul in New York for twenty-five years, is an honorary lieutenant colonel in one of the Paraguayan crack regiments, and observed the campaign of 1933 in the Chaco wilderness. His account is written in an interesting and simple, unaffected manner.

The Bolivian side of the conflict is set forth, among other accounts, in several pamphlets that have been issued during the last few years. Among these are *The Chaco Dispute: Proofs and Truths*, "a document by the major University of Saint Francis Xavier of Chuquisaca" ([1932], pp. 20, with several maps); *The Historical Background of the Chaco Boreal Controversy*, by Jac Nachbin (New York, 1933, 7 pp.); *The Chaco Question*, by Enrique Finot, Bolivian minister in Washington, "An exposition for the College Students of America"—an address delivered at the George Washington University, on March 7, 1934 (Bolivian Legation, Washington, D. C., 1934, 7 pp.); and *The Chaco War and the United States*, by Enrique Finot (New York, 1934, pp. 23). The first and last of these pamphlets will, perhaps, be found of greater interest.

Two new volumes in "The Macmillan Hispanic Series" have recently appeared, both in 1935. These are Alvarez Quintero; *Comedia y Drama*, edited with introduction, notes, exercises, and vocabulary, by Agnes W. Brady, professor of Spanish at Saint-Mary-of-the-Woods College (pp. 256, \$1.40); and Mariano José de Larra, *Macías* (an historical drama in four acts and in verse) edited with introduction, notes, and vocabulary by J. Horace Nunemaker, professor in the department of foreign language, State College of Washington, and Kenneth M. Vanderford, University of Chicago (pp. 141, \$1.20). Both volumes are edited with the care characteristic of this series.

Professor Rafael Altamira, in his *Idea de una Política Hispano-americana* (Madrid, 1934, pp. 19), an address delivered at the Fourteenth Congress of the Asociación Española para el Progreso de las Ciencias, at Santiago de Compostela, demonstrates Spain's interest in the American States colonized by Spain. In 1933, there was also published at Madrid, a pamphlet by Professor Altamira, entitled

*La Enseñanza de las Instituciones de América en la Facultad de Derecho de la Universidad de Madrid.* This is proof of the great interest in Spain relative to Hispanic America.

Dr. Ricardo Alfaro, minister of Panama, presented a paper at the Institute of Public Affairs in the University of Virginia, on July 6, 1934, at the round-table discussion "The good neighbor Policy with Latin America", entitled "Caribbean Affairs". This excellent paper has been issued in mimeographed form and doubtless would be sent to those interested as far as the edition would permit.

Dr. Fernando Ortiz, of Havana, in *Sociedad Económica de Amigos del País* (Havana, 1934) writes on "El Deber Norteamericano en Cuba". This was an address read first at the solemn session in commemoration of the 141st anniversary of the founding of the society. Dr. Ortiz realizes fully the close connection between Cuba and the United States.

La Librairie Briguier (38, rue S. José, Rio de Janeiro) has published (1934) the first edition of its *Guide Briguier: Rio de Janeiro—Ses Environs, Ses Promenades* (pp. 209, 83). As the title indicates, the volume is in French, but has an annex in Portuguese entitled "Memento do Rio de Janeiro". The volume also contains a detailed plan of the city, an alphabetical list of the streets, and other vital information; and is fairly well illustrated. In its twenty-three chapters, certain data are given concerning South America and Brazil, its government and administration, population, races and immigration, climate, old and new Rio de Janeiro, money, hotels, restaurants, the port and environs, railways and other methods of transportation, plazas, parks, and gardens, outside excursions, convents and churches, diversions, etc. An appendix contains various useful data. This is an excellent and handy little volume and its format is such that it can be carried in the pocket.

A volume of some moment has recently come from the press of the Bureau of Printing in Manila. This is the *Planes Constitucionales para Filipinas* and is published by the National Library of the Philippines under the editing of the director of the library, Teodoro M. Kalaw. The volume (pp. vii, 480) consists of a collection of ancient

and modern constitutions (some in force and others only projects) and was intended for the information of the members of the constituent assembly which has quite recently drawn up a constitution for the Philippine government during autonomy and after the organization of the Philippine Republic. The volume is divided into four parts: 1. Projects drawn up under the Spanish régime; 2. Those drawn up by Filipinos during the insurrection against Spain and later against the United States. 3. Those drawn up by Filipinos during the United States régime. 4. Some modern constitutions. In the first part are four parliamentary representations (two of which were found among the papers of the famous Marcélo H. del Pilar) dating from 1890-1895; and an autonomous program drawn up by Pedro Alejandro de Paterno, in 1898. The second part contains a provisional constitution of the Philippine Republic prepared by Isabelo Artacho and Félix Ferrer, which was approved at Biac-na-batô on November 1, 1897; the constitution of Makabulos, for the central government of Luzon, dated April 17, 1898; a provisional constitution prepared by Mariano Ponce in April, 1899; a constitutional program of the Philippine Republic prepared by Apolonario Mabini, June 6, 1898; and the Malolos Constitution which was promulgated by Aguinaldo in January, 1899. Part 3 contains a proposed constitution (in English) for the island of Negros, submitted by a group of citizens to the Schurman Commission in 1899; a Philippine national constitution drawn up by a number of prominent Filipinos (one of whom, Cayetano Arellano was later chief justice of the Philippine supreme court) and presented to the Schurman Commission in 1899; a political program submitted by Paterno in 1900; Mabini's formula of independence (found among his papers, 1900); Apacible's program (1900); and a constitution (in English) of the Philippine Free State (prepared by a group of anti-imperialists of California, and found among the papers of the revolutionary commission of Hongkong). In the fourth part are the Mexican constitution of 1917; the German constitution (in English) of 1919; the constitutional charter of Czechoslovakia of 1920 (in English); the Polish Constitution of 1921 (in English); that of the Irish Free State, 1922 (in English); that of Turkey, 1924) (in English); and that of the Spanish Republic, 1931. In an appendix appears the constitution of the United States; the Tydings-McDuffie Laws; and the Organic Law of the Philippine Islands, August 29, 1916. The various documents are presented with-



out comment. There is an index which facilitates the use of the volume, but a number of blank pages bound in would have been of service to users. This volume is Series No. 1, which would indicate that other volumes may be expected.

Teodoro M. Kalaw, director of the National Philippine Library, is one of the most active men in the Philippines. In addition to his other volumes, which were noticed in this REVIEW, he has published the following:

*Diario espiritual* (Manila, 1930, pp. 210). A reproduction of articles which appeared in the newspaper *La Vanguardia* during 1926-1927, and touch on a great variety of subjects.

*Las Cartas políticas de Apolinario Mabini* (Manila, 1930, pp. xxvi, vi, 364), for which Mr. Kalaw has provided a prologue and annotations. Some of the letters are translations into Spanish from the Tagalog.

*El Espíritu de la Revolución (Discursos y Conferencias)* (Manila, [1934], pp. IX, 208). This has a prologue by Manuel C. Briones, senator for Cebu. Among the 27 items of this volume, the following stand out prominently: *Las Ideas políticas de la Revolución*; *La Bandera Americana*; *Dos Cerebros de la Revolución*; *Educación antigua y Educación moderna*; *La Lengua Tagala*; *La muger antigua*; *La Actuación política de Mabini*; *Sentido común*; *Fernando Ma. Guerrero*; *Hombres de la Revolución*.

Mr. Kalaw has often been called the sincerest advocate of immediate independence in the Philippines.

Dr. Austin Craig, of Manila, who long ago became interested in Dr. José Rizal, the "hero of the Philippines", and who has written the only authentic life of that scientist and constructive thinker, has added to his many books of Rizal's writings and other books about Rizal, three more volumes—all issued through the Oriental Commercial Company of Manila. These are *Rizal's Political Writings* (1933, pp. 445); *The Filipino's Fight for Freedom* (1933, pp. 408); and *The Philippines and Filipinos of Yesterday* (1934, pp. 632). The first contains some of Rizal's own writings, and writing of others (including excerpts from newspapers) about Rizal. In the second work is presented in English "The Rise and Fall of the Philippine Republic", by Apolinario Mabini (secretary of state of the republic). The volume is an attempt by Dr. Craig to show "the true history of the Filipino people during their 400 years' struggle". In it, Dr. Craig reviews briefly much of the history of the islands before and

during Spanish occupation. Mabini's treatise supplies materials relative to the insurrection against the United States, and here Dr. Craig makes numerous comments. The third volume consists of an English translation of F. Jagor's *Reisen in den Philippines* and W. Gifford Palgrave's *Country Life in the Philippines in 1876-1878*—both of which appeared in Dr. Craig's *The Philippines thru Foreign Eyes*, issued about twenty years ago. The three volumes have indexes but the format might be improved on.

The seventh volume of Edmund C. Burnett's *Letters of Members of the Continental Congress* (Washington, D. C., The Carnegie Institution of Washington, 1934, pp. lxxvii, 670) is as meticulously edited as its predecessors. As in most of the other volumes of this rich series, this volume contains some slight references to Spain in America (consult the index under the caption, "Spain").

Mr. Charles B. Reynolds, a native of St. Augustine, Florida, has written a powerful criticism of Mrs. Carita Doggett Corse's recently-published booklet, *The Fountain of Youth*, in which the claim is made that Ponce de León landed at St. Augustine at the place where the so-called fountain of youth exists. He shows by well stated arguments the fallacy of the conclusions of the pamphlet.

No. LXIV of "Publicaciones del Instituto de Investigaciones Históricas" of Buenos Aires, entitled *Domingo Muriel*, is the work of that indefatigable scholar Rev. Guillermo Furlong Cardiff, S. J. (1934, pp. 91). The study is divided into three sections: Noticias biográficas; Obras publicadas, obras póstumas; and Escritos inéditos. The pamphlet which closes with a list of manuscripts and printed books, containing information relative to Muriel, is worth consultation by the student.

Volume XLV of the "Biblioteca de Historia Nacional" of Colombia, entitled *Cualidades y Riquezas del Nuevo Reino de Granada*, consists of a hitherto inedited MS. of the eighteenth century by Basilio Vicente de Oviedo. The work is preceded by a prólogo written by Dr. Luis Augusto Cuervo, president of the Academia Colombiana de Historia and was published in 1930 at Bogotá (Imprenta Nacional, pp. xxiv, 337). This is an excellent description of the New Kingdom

and is most useful for the history of Colombia. Vol. XLVI of the same series (Bogotá, 1931, pp. xxiii, 865) consists of the *Congreso de 1824: Senado, Actas*. This volume was edited by Drs. Roberto Cortázar and Luis Augusto Cuervo, and is a primary source of the first magnitude for the history of Colombia. In this connection, attention might be called to Volume XXXIII of the series (Bogotá, 1924, pp. x, 423) entitled *Congreso de las Provincias Unidas* and consisting of the laws, minutes, and notes of the Congress. This volume was edited by Dr. Eduardo Rosada.

*Cuicuilco and the archaic Culture of Mexico*, by Byron Cummings (Tucson, 1933, pp. 56, \$0.25) has been published as "Social Science Bulletin", No. 4, by the University of Arizona (being also Vol. IV, No. 8, of the University of Arizona Bulletin). This is only a preliminary report on these ancient ruins. Two-thirds—and probably the most important part—of the mound have been uncovered. The completion of the task and the opening of other nearby mounds, it is thought, will yield important data on the homelife of the archaic peoples of Mexico. The author, who is professor of archaeology in the University of Arizona, expresses his indebtedness to Dr. Manuel Gamio and Sr. José Reygadas Ortiz, of Mexico, for assistance and encouragement, to the National Geographic Society of Washington for supplying funds for the completion of the work, and to the University of Arizona. Dr. Cummings thinks the archaic pile might be as much as 8,500 years old, and that it is the oldest archaeological remains that have as yet been opened in the western hemisphere. His account is highly interesting and his record of the excavation is of value.

*Cuentos de los Indios Chocós* gathered by the great cartographer Erland Nordenskiöld during his expedition to the Isthmus of Panama in 1927 and published with notes and comparative observations by Henry Wassen, appeared in the *Journal de la Société des Americanistes*, new series, XXV. 1933, pp. 103-137, and was later issued as a reprint in 1933. Among the stories are "Cómo recibieron el Maíz los Chocós"; "Cómo los Hombres consiguieron Agua, Fuego, y Plátanos"; "El Diluvio"; and a few others. Interesting notes in several languages are appended.

Curtis Putnam Nettels of the historical faculty of the University of Wisconsin is the author of a study on *The Money Supply of the American Colonies before 1720* (Madison, 1934, pp. 300, [18]), which is No. 20 of "University of Wisconsin Studies in the Social Sciences and History". The volume contains some references to Spain and its American colonies, which can easily be found by consulting the index.

The Departamento del Trabajo of Mexico has published an interesting *Memoria del primer Congreso de Derecho industrial* (Mexico, Talleres Gráficos de la Nación, 1934, pp. 781, 20, 16, 20, 77, 3, 25). A full report is given of the preliminaries and of the work of this important congress, which was held during the period August 13-23, inclusive, in 1934, in the city of Mexico. As appendices are printed various papers.

Sr. Gonzalo de Reparaz in his *Historia de Colonización* (Barcelona and Buenos Aires, Editorial Labor, S.A., 1933, pp. 468, illus.) undertook his task because there was no book of this nature written in the Spanish language, notwithstanding that the Iberic countries were the originators of modern colonial expansion. The first part is divided into three books which bring his narrative from the first colonies to the break-up of Roman colonization and the fall of the empire. The second part treats of the rise of the modern European states and colonization by the Iberic countries and that by the Dutch and the English. Book second of this part (pp. 227-391)—"Cómo empieza la Era oceánica"—subdivides into sections as follows: La Colonización Ibérica; El Imperio occidental Portugués; El Imperio colonial Portugués en total; La Aventura colonial de Castilla; Expansión y Conquistas; La Colonización Española; and Constitución y Derrumbamiento del Imperio Español. Necessarily, the author could not treat any phase of the subject fully in the short space at his disposal. He has, however, written an interesting review of Iberic colonization. More attention might well have been given to the rise of institutions in old Spain and new—the first directive, the second not less so, but as well an evolution from the parent stem. In his preface he points out quite truly that Spanish colonization did not arise from any social necessity, nor even like Portuguese colonization from a political plan carefully thought out and systematically executed. It was rather an adventure lightly undertaken, but from it came great things which



lifted Spain out of the direction which geography seemed to be forcing it and away from the European activity in which the caprice or interest of its monarchs was trying to employ it. The book is evidently intended to be used as a text book.

J. N. L. Baker, lecturer in geography in Oxford University, has published through Houghton Mifflin Company *A History of Geographical Discovery and Exploration* (Boston, 1931, pp. 544). The volume claims "to be little more than a compilation", as it was written to meet "the needs of the increasing number of students now reading honours in courses in the universities" of Great Britain. Full use is made of secondary sources, but the author has introduced as many original references as possible. It thus becomes a connected story of exploration and discovery. Chapters V (Christopher Columbus and his Successors), VI (The Spaniards in the New World), VII (Magellan and the Pacific Ocean to 1600), part of XII (America, 1550-1800), and part of XV (America) treat of Hispanic America. The three appendices, namely: The objects of Columbus; The voyage of De Fonte; and the Straits of Anian, should also be noted. Just why the author should make use of the barbaric name "Cabez de Vaca" for "Cabeza de Vaca" is not clear. He might better have used Robertson's translation of Pigafetta than the garbled Stanley translation which was shown long ago to be unreliable and unscholarly. The volume is, however, useful.

A mimeographed list of the writings of Dr. Samuel Guy Inman of Columbia University and of the Committee on Coöperation for Latin America has recently appeared. This list, consisting of seven pages, shows eleven books, sixteen books in which he wrote one or more chapters, nineteen pamphlets, and one hundred and fifteen articles (this last being only partially complete). This list is indicative only of a portion of what Dr. Inman has actually accomplished. He has had an unusually active and productive life.

On April 17 and 18, occurred at the Anderson Galleries, Inc., in New York, the sale by auction of a part of the magnificent collection of Dr. John B. Stetson, Jr. The catalogue listing the works sold is an excellent piece of work. Among the books listed are many relating to Hispanic America, many being excessively rare.

Catalogue No. 21, New Series, of Henry Stevens, Son and Stiles, dated March, 1935, lists a number of interesting titles relating to Hispanic America.

The Librería Colombiana Camacho Roldán & Cía, S. A., calle 12, núm. 7-50, Bogota, has recently published a *Catalogue of Books published in the Republic of Colombia* (pp. 142). The titles relating to biography, political science, political economy, geography, history, and voyages will be found of special interest. The catalogue has an index of subjects and one of authors. Prices are in Colombian currency.

The Musée d'Ethnographie d'Histoire Naturelle of Paris, published in 1933 a "Catalogue de l'Exposition de la Collection J. L. au Palais du Trocadero (Juin-Octobre, 1933)", entitled *Art des Incas*. The catalogue lists 567 items and has 20 plates showing some of the most striking objects.

The Texas Catholic Historical Society, in its preliminary studies distributed under the auspices of the Texas Knights of Columbus Historical Commission has published (1934) *Peña's Diary of the Aguayo Expedition* (pp. 68), which is a reprint from the Records and Studies of the United States Catholic Society, XXIV. October, 1934. The translation was made by Rev. Peter P. Forrestal, C. S. C., professor of Spanish language and literature in St. Edward's University, at Austin, Texas. The publications of the Historical Commission are edited by Rev. Paul J. Foik, C. S. C.

Dr. Carlos E. Castañeda, historiographer of the Mission Era in Texas, is the author of an interesting article entitled "Silent Years in Texas History". This relates to the years 1694-1716, and Dr. Castañeda shows that this was not so silent a period as has been thought. The article was reprinted from the *Southwestern Historical Quarterly*, XXXVIII, October, 1934, as one of the "Preliminary Studies of the Texas Catholic Historical Society", and is being distributed under the auspices of the Texas Knights of Columbus Historical Commission.

The Pan American Union has issued as No. 13 of its "Serie de Congresos y Conferencias" a mimeographed document of 36 pages, entitled "Documentación relativa a la Conferencia Interamericana de Bibliografía que se celebrará en la Ciudad de la Habana, Republica de Cuba, 5 de Noviembre de 1934. Although the conference was not held, this report will be of service in the conference when it is held—in connection, perhaps, with the Agricultural conference to be held in Mexico in 1935. The report contains information as follows: Exposición preliminar hecha por la Delegación de Venezuela en la Sexta Conferencia Internacional Americana, al introducir la Resolución sobre Organización de la Bibliografía continental; Resolución del Consejo Directivo de la Unión Panamericana aprobada en la Sesión de 7 de Marzo de 1928; Informe de la Comisión especial de Bibliografía aprobado por el Consejo Directivo de la Unión Panamericana en la Sesión del 2 de Mayo de 1928, sobre Bibliografía Americana; Resolución sobre Bibliografía aprobada por la Séptima Conferencia Internacional Americana el 16 de Diciembre de 1933; Informe de la Comisión de Bibliografía sometido al Consejo Directivo de la Unión Panamericana; Informe de la Comisión Permanente de Bibliografía de Consejo Directivo de la Unión Panamericana sobre el Trabajo preparatorio de la Conferencia Interamericana de Bibliografía; Comentarios sobre problemas Bibliográficas Interamericanas.

Dr. E. Gil Borges, assistant director of the Pan American Union, has published in mimeographed form (1934) his "Historical Background of constitutional Evolution in Hispanic America" a "lecture delivered in The George Washington University during the Inter-American Seminar at the above mentioned University in 1933. This is very welcome, for owing to its length, Dr. Gil Borges was compelled to summarize in great part his interesting and valuable paper.

"Congress and Conference Series" No. 14, of the Pan American Union (Washington, 1934) is by Professor A. Curtis Wilgus, and is entitled "Inter-American Conference of Bibliography, Habana, Cuba, November 5, 1934. Source materials and Special Collections dealing with Latin America in Libraries of the United States." This is a mimeographed publication of 23 pages. The bibliography is preceded by a short note by Charles Babcock, librarian of the Columbia Memorial Library, and an introduction by Professor Wilgus. The study



is largely the outcome of a circular letter sent to the principal librarians of the United States requesting information relative to the names and locations of the principal collections, and other pertinent data. The information is not complete, but, to quote Professor Wilgus, "the student of certain phases of Latin American affairs can obtain much invaluable primary and secondary information without leaving the United States". Collections in 79 libraries and depositories are described briefly.

The Pan American Union has issued in mimeographed form the "Foreign Trade of Argentina for 1934"; also in printed form Nos. 14 and 16 of the American Nation Series, namely, *Nicaragua* (pp. 28) and *Paraguay* (pp. 29), both of 1935; No. 11 Commodities of Commerce Series, entitled *Nitrate Fields of Chile* (1935, pp. 22, 4th ed.); and *Seeing the Latin Republics of North America* (1935, pp. 181).

A new review, namely, *Revista Cubana*, published its first number in January, 1935. To judge from this first number, the review will be excellent in many ways. In it appear, among other things, *Las primerías Noticias de Romances tradicionales en América*, by Ramón Menéndez Pidal; *La Colonización de Cuba—Organización institucional*, by Emeterio S. Santovenia; "La Segunda Conferencia Interamericana de Educación, by Luciano R. Martínez; and *Aviraneta, pacificador*, by Jose Maria Chacón y Calvo. There are also sections devoted to notes and comment and to bibliography. The format of this new review is excellent. It is one of the publications of the Dirección de Cultura of the Secretaría de Educación of Cuba, and sells at thirty cents per copy.

In *Universidad de la Habana*, No. 3, May-June, 1934, were published: "La nueva Arquitectura y Nosotros", by Joaquín Weiss; "Concepción y Doctrina del Fascismo", by Benito Mussolina (translated by Giuseppe Favole); "El Carácter Cubana", by Elías Entralgo; "Martí Diplomático", by Herminio Portell Vilá; "Discurso con Motivo de la Autonomía universitaria", by Félix Martín y G. de Mendoza; Octavo Congreso de Filosofía de Praga; "Día de la Medicina Americana"; "Monumento a los Mártires."—R. H. V.



*La Opinión* of Los Angeles published under date of October 7, 1934, an article on Demetrio S. García, entitled "Los Tesoros de un Anticuario."—R. H. V.

The *Revue des Études Mayas-Quichéés* has recently made its initial appearance in Paris. This periodical is under the direction of M. Jean Genet, 106 Boulevard Saint-Germain.—R. H. V.

The *New Republic* published an article by Lewis Mumford on "Orozco in New England", in its issue of October 10, 1934.—R. H. V.

The initial number of the new monthly review *Ecos Mundiales* has quite recently made its appearance. It is published in Mexico by Don Joaquín Díaz Mercado at Calle República de Chile, No. 7.—R. H. V.

In *Repertorio Americano* for November 10, 1934 (vol. XXIX, No. 18; director Joaquín García Monge, San José, Costa Rica) are found among other materials: "La Llave de la Paz de América", by José Santos Chocano: "Abra los Ojos el Congreso y no haga más Contratos con una Compañía de por sí peligrosa", by Juan del Camino.—R. H. V.

The *Diario Latino* of San Salvador is publishing a series of articles by Dr. Francisco Funes P., under the title "Recuerdo de cosas viejas". These are proving of considerable value for the history of Central America.—R. H. V.

Senderos, the organ of the Biblioteca Nacional of Colombia maintains its high tone and pleasing appearance in its issue for January, 1935. Among other matters that issue presents the following: "La Pereza nacional"; "El Humilladero", by Luis María Mora; "Pombo", by Antonio Gómez Restrepo; "La Biblioteca Bolívar", by Ignacio Gutiérrez Ponce; "El Alma de la Raza (Interpretación de la Música indígena)", by Alfredo Sanojines; various "notas culturales"; "La Educación gregaria", by B. Sanin Cano; and "Relación de la Heroína Policarpa Salavarrieta, su Prisión y su Muerte", by Andrea Ricaurte. There is also a bibliographical section; and inserted is a folded chart "Cuadro estadístico de Cundinamarca".

Dr. Robert S. Smith, of Duke University, whose "Recent Criticism on the Consulate of the Sea", was published in the August, 1934, issue of THE HISPANIC AMERICAN HISTORICAL REVIEW, has an article entitled "The early History of the Spanish Sea Consulate", in the February (1935) number of *Politica*.

*The Mississippi Valley Historical Review* for March, 1935, has an article by Thomas Robson Hay on "Some Reflections on the Career of General James Wilkinson". The same number also carries a review of Caughey", *Bernardo de Galvez in Louisiana, 1776-1783*, by Arthur S. Aiton; Richardson and Rister, *The Greater Southwest*, by Lansing B. Bloom; Luis Blasio, *Maximilian, Emperor of Mexico*, by Lillian Estelle Fisher; and Sánchez, *Stories of the Latin American States*, by Harold E. Davis.

*The American Foreign Service Journal* (Washington) for January, February, and March, 1935, has an article on "The Inter-American Highway" contributed by Dr. William R. Manning of the State Department.

The first number of a new magazine, *Three Americas* (published by the Committee on Cultural Relations with Latin America) has appeared in Mexico City (March, 1935), under the editorship of the well known Hubert Herring. Herbert Weinstock is managing editor and Vica de Iturbe, business manager. The new review is to be published monthly (except during the months of July, August, and September) at Amazonas 81, Mexico, at \$1.00 U. S. currency per annum. All editorial matter should be addressed to managing editor, Room 920, 287 Fourth Ave., New York City, and all business matters, including subscriptions, to the business manager, Apartado 1521, Mexico, D.F. This first number has an announcement of the Tenth Seminar in Mexico; "Questionnaire for Norteamericanos contemplating a Trip to Mexico" by Erna Ferguson; "A Mexican Book on the Psychology of Mexico"; Ramos, *The Outline of Man and Culture in Mexico*, by Berta Gamboa de Camino; "See Mexico now", by Chester Lloyd Jones; "One Month for Mexico", by Larry Barretto; "A first Look at Mexico", by Carl Sangree. The review is apparently primarily an organ of the annual seminar in Mexico conducted by Mr. Herring.



In *The Pacific Historical Review* for March (Vol. IV, No. 1), 1935, appear: "The Magdalena Bubble", by Ruth Elizabeth Kearney—the colonization scheme in Lower California, instigated by the Lower California Co. in 1866; "The failure of Polk's Mexican War Intrigue of 1845", by Richard R. Stenberg; and "Pacific History in Spanish-American Historical Reviews, 1932-1934", by Roland Dennis Hussey—a valuable summary that should have wide reading. Among book reviews are one by Lewis W. Bealer, of Donoso's *Antonio de Irisarri*; and one by Oscar Osborn Winther, of Geary's *The Secularization of the California Missions*.

*The University of New Mexico Bulletin* for May 15, 1934 (III. No. 1), consists of an interesting preliminary report by Reginald G. Fisher, entitled "Some geographic Factors that influenced the ancient Populations of the Chaco Canyon, New Mexico". This is essentially a study of rainfall.

The Rev. Michael Kenny, S.J., has added to his many labors by writing a book called *The Romance of the Floridas* (New York, etc., The Bruce Publishing Company ['1934], pp. xxiii, 395, \$3.75). While the main motif is the work of the Jesuit Order in Florida, there is much additional material and the book should be on the shelves of students of Florida history. Father Kenny's observations on the Jesuit mission in what is now Virginia are of interest and further research may prove the accuracy of his suggestions with respect to the location of the mission, although as yet this can only be conjecture. James A. Robertson has written a foreword to the volume. It is understood that the volume is already in its second edition.